

FAILURES

OF

AKALI

LEADERSHIP

By the Same Author

English:—

A Critique of Sikhism

Islam and Sikhism

Gandhi and the Sikhs

The Versatile Guru Nanak

Sant Khalsa

Punjabi:—

Gandhi ji atey Sikh

Inter Class (Kahani Sangreh)

Failures of Akali Leadership

BY

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To

My Darling Child (Daughter)

Kamal Preet

Who has promised to carry on my
research work after my death.

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— Gurmit Singh
Advocate
SIRSA

PREFACE

It is said about the Sikh people that they remain so busy with the making of history that they find no time to write it. There is hardly any authentic book dealing with Sikh politics under the British rule and on the post-independence period. Whatever little material we find in the books of non-Sikh writers is coloured with bias and prejudice. There is a calculated attempt to keep away the Sikh people from the national main-stream. Volumes have been published by the official and non-official organisation on the subject of freedom movement in India but none even makes a passing reference to Sikh's role although the Sikh people have made the maximum sacrifice in this respect. Sikh leadership has been throughout monopoly of illiterate and selfish people and they have neither ability nor inclination to undertake such scholarly projects. Even educated Sikhs have become cowardism deceitful and lethargic. Sudden economic prosperity in the upper middle class has weakened the bond of religious identity and the illiterate leadership has made no effort to involve this class in the Sikh affairs. The result is that coming Sikh generations under the influence of much publicised concepts of secularism are fast losing consciousness of their religious identity. If this trend continues for another decade the Sikhs will lose the status of even a nationality what to speak of a nation. With communal democratic set up in India, in which numbers and not the quality counts, Sikhs can't hope for a bright future. Sikhism in India after a decade or more may become a sect of Hinduism like Buddhism and Jainism. The only hope lies in the growing interest in Sikhism in the west European countries. The redness in the sky which Guru Tegh Bahadur saw while in imperial prison about 300 years ago was perhaps the light of the glory of rising Khalsa. His prophecy "The whole (world) will become red" perhaps indicates the possibility of new Sikh renaissance spreading in the whole world. However, I am certain that it is useless to look to the Indian Sikhs for any lead in this regard.

The book in hand is in fact a collection of articles written for the Spokesman weekly. It started with the publication of memoirs in Spokesman by S. Hukam Singh ji ex-Governor and ex-speaker Lok Sabha, who has been closely associated with Sikh political affairs in post-independence era. I wrote a letter to the editor expressing my disagreement with Sardar Hukam Singh that Sikh leadership got the best of what could be procured under the conditions at the time of partition of the country. S Hukam Singh ji wrote in reply that anyone can be wise after the event but even now if some one can tell him what better could be achieved he will feel obliged. This led to a debate which S. Hukam Singh ji concluded with the remarks that there is a gap of not one but two generations between him and me and therefore our attitudes and views are bound to differ. I continued writing articles on various Sikh problems and the book in hand is a compilation of those articles. At that time I did not correctly appreciate the significance of S Hukam Singh ji's remarks but now after seven years, I have realised the underlying reality. If I were asked to write on this subject again perhaps I would write just the opposite. When I had started writing these articles a British scholar on Sikhism who happened to meet me at a seminar had enquired:

"Do you believe that Sikh state is feasible?"

"Yes," Was my prompt reply.

When will it be formed?

"Very soon," I replied with confidence.

"How soon?"

"Definitely in my life." I replied with a smile?

But today I have lost all hope. I don't believe that Sikhs deserve a state. They are better off as second rate citizens. They are not fit to govern. They must be governed. This book deals with several subjects. It analyses the pre-partition and post-partition events with the help of historical records and suggests what could have been done by the Sikh Leadership. It also analyses the Indian constitution to expose the claim that India is a secular state. It also deals with the demand for autonomous Punjab within the Indian Union. Safeguards for minorities under the Indian constitution and the U.N.O. Charter have also been discussed with special reference to the Sikh minority.

Many events have taken place since the writing of this book. Nirankari chief Baba Gurbachan Singh has since been shot dead and his assailants are yet to be traced. Dr. Jagjit Singh, ex-Finance Minister Punjab, has proclaimed the formation of Sikh State Government in exile. Akali ministry in Punjab has been dissolved and through fresh elections Congress government has been installed. On the religious front, the sovereignty of Akal Takht has been re-asserted. Hukamnama issued from Akal Takht in the dispute relating to Akali leadership has been enforced. Jathedar of Akal Takht Sahib has refused service of summons issued by Justice Prem Chand Jain of the Punjab & Haryana High Court on the ground that Akal Takht is seat of sovereign and its incumbent is not subject to process of the court.

A Minority commission has been constituted by Government of India to investigate instances of discrimination against any minority. But the problem is that this commission has no statutory backing and its recommendations are not binding on the government. The Commission sometime back investigated the complaint of the Sikhs of Karnal and found that temple had been constructed by the Hindus just adjoining the Gurdwara on a small place up to a great height not for the purpose of worship but for the purpose of annoying the Sikhs. The Commission therefore recommended the demolition of this Hindu temple but this recommendation has been ignored by the Haryana Government and temple still stands at that very spot much to the annoyance of the Sikh Community. Similarly minority commission's recommendation for granting proper status to Punjabi language in Delhi & Haryana has not been implemented. As a result discrimination against the Sikh people continues. Recently, Himachal Pradesh Government refused to accept the recommendation of its High Court that a senior judge who happened to be a Sikh be appointed Chief Justice of that High Court.

Some of the articles included in this book are very controversial. I do not claim to be impartial. I have given The Sikh view point but at the same time I have tried to write without malice or prejudice. I will welcome any corrections of fact which any reader may suggest.

I have tried to avoid repetitions but as the subject matter of this book was written in the form of articles at different times, therefore, these could not be completely eliminated.

It is just an elementary study and I will feel amply rewarded if it inspires some scholar or historian to take up a detailed study of this subject.

1-1-1981

—Gurmit Singh
Advocate
SIRSA- 125055

“Nothing is born without crying and blood.”

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Khalsa And Its Polity

“Each nation has a destiny to fulfill; each nation has a message to deliver; each nation has a mission to accomplish. Therefore, from the very start we have to understand the mission of our own race, the destiny it has to fulfill, the place it has to occupy in the march of nations, the note which it has to contribute to the harmony of races.”

(*Swami Vivekanand*)

A study of Sikh history reveals the gradual making and development of a nation inspired with a mission under the guidance of ten Gurus. The contemporary reformers at the time of Sikh Gurus no doubt, worked to reform the religion but they were so much impressed by the concept of nothingness of this life that they deemed it unworthy of thought to build up new order of society.

Joseph Cunningham says: “They aimed chiefly at emancipation from priest craft or from the grossness of idolatry and polytheism. They perfected forms of dissent rather than plant the germs of nations and their seats remain to this day as they left them. It was reserved for Nanak to perceive the true principles of reform and to lay down those foundations which enabled his successor, Gobind, to fire the minds of his countrymen with a new nationality and to give practical effect to the doctrine that the lowest is equal with the highest in race as in creed, in political rights as in religious hopes.”

The task of nation-building entails great suffering and sacrifice. A nation cannot be built on the basis of expediency. Guru Gobind Singh had to undergo great hardships and sufferings to found a nation. To quote Swami Vivekanand who, while exhorting the Hindus to follow the example of Guru Gobind Singh, remarks:

“Then and then alone you are a Hindu when you will be ready to bear everything for them, like Guru Gobind Singh. After having shed his own blood for the defence of Hindu religion, after having seen his children killed on the battlefield – Ay, this example of the great Guru, left even by those for whose sake he was shedding his blood and the blood of his nearest and dearest—he, the wounded lion, retired from the field calmly to die in the South but not a word of curs escaped his lips against those who bad ungratefully forsaken him.”

Thus followers of the Great Guru experienced the birth-pangs of a new society which matured into a nation. Describing the birth of this new nation, *Sri Aurobindo Ghosh*, in his book “Foundation of Indian Culture,” writes:

“The Mahratta revival inspired by Ramdas’s conception of the Maharashtra Dharma and cast into shape by Shivaji in spite of the genius of The Peshwas could only establish a military and political confederacy.”

“Their endeavour to found a nation could not succeed because it was inspired by a religious patriotism that failed to enlarge itself beyond its own limit and awaken to the ideal of a united India.”

“The Sikh Khalsa, on the other hand, was an astonishingly original and novel creation and

its face was turned not to the past but to the future.”

“A very striking instance of democratic institution towards making a compact nationalism was the founding of the Sikh Religion, its long line of Gurus and the novel direction and form given to it by Guru Gobind Singh.”

What are the characteristics of the Sikh nation created by Guru Gobind Singh by administering the baptism of the sword popularly called Amrit? Late Prof. Puran Singh writes:

“It was this amritam that changed the docile, poor, fearful disciples into the leonine men of the new Khalsa-saint-soldiers who were taught to salute God and the Master with a naked sword swung high in air and to practise the simrin of mantram of Waheguru. Arms were thenceforward the symbol of a disciple’s fervour of soul.

“The great miracle of creation done by Gobind Singh transmuted Anandpur into the centre of a new saviour-nation. A contagious spirit of independence arose and spread, and the face of the country changed where love is supreme; the heart, in which it resides, must be clothed in splendour of steel; the flashing sword of love must be the expression, in this dark world, of the light of soul.

“I am thine; death is nothing to me. I wear arms not to kill, but to dazzle with them, flash the eyes of cowardly kings, and to blazon in letters of fire the supreme majesty of love over all.

Qazi Nur Muhammad, who had accompanied Mir Nassar Khan of Baluchistan during the seventh invasion of India by Ahmed Shah Durani, in his *Jang Namah*, which is a firsthand account of Durani’s invasion of 1764-65, pays tribute to the Sikh people in the following words:

“They are lions and are courageous like lions in the field or battle. If you wish to learn the art of war, come face to face with them in the field. If you wish to learn the science of war, O’ swordsman! learn from them how to face an enemy like a hero and to get safely out of an action.

“Leaving aside their mode of fighting, hear you another point in which they excel all other fighting people. In no case would they slay a coward, nor would they put an obstacle in the way of a fugitive. They do not plunder the wealth or ornaments of women.”

Such a Khalsa, writes Rattan Singh Bhangoo in his *Prachin Panth Parkash*, neither cringes nor submits before a mortal; he is either a rebel or a sovereign. Khalsa from the very beginning claimed a sovereign status for itself. In 1609, Guru Hargobind erected the Akal Takht upon which he sat in state wearing two swords symbolising his dominion over the two worlds, temporal and spiritual, and with it the doctrine of double sovereignty in Sikhism took birth. Khalsa, thus, conceived of a state without a fixed territory and without a subject population and proclaimed itself to be its sovereign.

Explaining this concept of double sovereignty, Sardar Kapur Singh, former I.C.S. writes: “The main substance of this doctrine is that any sovereign state, which includes Sikh populations and groups as citizens. must never make the paranoiac pretensions of almighty absolutism, entailing the concept to total power, entitled to rule over the bodies and minds of men in utter exclusiveness. Any state, which lays such claims, qua the Sikhs, shall automatically forfeit its moral right to demand allegiance of the Sikhs, and there is thus, an eternal

antagonism between such a state and the collective community of the Sikhs, represented by the order of the Khalsa, and in this deadly duel the state shall never emerge out as finally victorious, for self-destruction is the fruit of the seed of non-limitation and the status and the prerogatives of the Khalsa are imprescriptible.”

Concept of relationship between the church and the state is well-defined by Guru Gobind Singh himself in his autobiography *Bachittar Natak* wherein he writes:

Those of Baba (Nanak) and
those of Babar (state)
God Himself make them both
Know the former thus;
As the king of religion
Guess the later thus; as
the temporal king
Those who fail to render what
is due to the House of Baba
The minions of Babar seize
them and make exaction
upon them.
And Inflict severe punishments.

Sardar Kapur Singh in his book “Baisakhi” commenting on this passage, writes:

“There are two forces which claim allegiance of men’s souls on earth — the truth and morality as religion (house of Baba) and the state (house of Babar) as embodiment of secular power. The primary allegiance of man is to the religion (truth and morality) and those, who fail in this allegiance, suffer under the subjugation of the state as they have no courage and hope which is born through unswerving allegiance to religion. The church must correct and influence the state without aiming to destroy it. The two must exist side by side but the primary allegiance is towards religion, truth and morality.”

An awakened nation aspires to attain what it considers its birth right i.e. liberty. Maulana Abul Kalam Azad says:

“It is my belief that liberty is the natural and God-given right of man. No man and no bureaucracy consisting of men has got the right to make the servants of God his own slaves. However, attractive be the euphemisms invented for ‘subjugation’ and ‘slavery’, still slavery is slavery and it is opposed to the will and the canons of God.”

The “*Raj Karega Khalsa*” couplet which is an inseparable part of the Sikh prayer, symbolises the political aspiration of the Sikh community. This couplet, which has been continuously recited by the Sikh people since the days of Banda Bahadur (1710-16) who was the first Sikh to establish a sovereign state for the Khalsa, reads as under:

“*Raj karega Khalsa, aaqi rahe na koi.*
Khwar hoye sabh milenge bache saran jo hoye.”
i. e. “The Khalsa shall rule, no hostile refractory
shall exist;
Frustrated, they shall all submit, and those, who
come in for shelter, shall be protected.”

When the Sikhs were persecuted and murdered for aspiring to rule in their homeland, the Sikhs sang this couplet to keep up their spirits, with their mind strengthened by faith and emboldened by constant prayer. They knew that the land was their birth right to rule thereon and they had only to assert this right. The original prayer recited by The Khalsa in this respect was:

*“Dili Takhat par bahegi;
Aap Guru ki fauj,
Chatter phirega sis par
Barhi karegi Mauj.
Raj karega Khalsa
Aaqi rahe na koe
Khwar hoye sabh milenge
bachhe saran jo hoye.*

i.e. “Guru’s Own men will rule
over Delhi empire.

Crown will grace their head
and they will prosper.

The Khalsa shall rule, no
hostile refractory shall exist;

Frustrated, they shall all
submit, and those, who
come in for shelter, shall
be protected.”

The Britishers, on annexation of the Punjab, felt alarmed at the consciousness, inspiration and strength which this couplet provided to the Sikh, regarding the achievement of their political goal and, therefore, recitation of the aforesaid prayer was banned by them. This caused resentment among the Sikh community and with mediation by some loyalist Sikhs a compromise was arrived at. The Sikhs agreed not to recite the first four lines regarding the establishment of Sikh Raj over Delhi and, therefore, the British Government agreed to allow the recitation of the last couplet. The loyalists conveyed to the British that the word ‘Khalsa’ mean, pure and, therefore, the couplet did not symbolise any political ambitions or aspirations of the Sikh people as it means that pure shall rule.

In the present set-up in India, to quote Dr. Ganda Singh, “like the majority group of the Hindus and the largest minority group of the Muslims, the Sikhs are as well a group of people in the country and have a right to aspire to political power as a group by itself or in collaboration with others. They have for this purpose to educate the constituents of their group. The Sikh group can best be educated for the service of the country on the lines laid down and traditions set up by the great Gurus and heroes and martyrs whose glories are recounted in their prayer.”

Akali legislators of the Punjab Assembly in their memorandum, submitted to The Parliamentary Committee of the Punjabi Suba, had rightly asserted:

“The question of formation of a unilingual Punjabi Sub has nothing to do, whatever, directly, with any political demands, rights, or aspirations of the Sikh, as a people, and its formation or otherwise does not affect The Sikh problem one way or the other, in any direct manner.”

Sikh's demand for a homeland in which "the Sikhs may also breathe the air of freedom, remains unfulfilled. Sardar Khushwant Singh says: "I support the present demand for a 'self-determined political status' for the Sikhs because 'this porte manteau' phrase accommodates my concept of an autonomous Sikh Suba within the Indian Union. I am further convinced that all Sikhs, whatever their political affiliations, subscribe to the same creed. There is not one Sikh temple where the litany '*Raj Karega Khalsa*' is not chanted at the end of every prayer. Those Sikhs who deny this, are either lying to their Gurus or to their rulers. If the Government really wishes to squash this sentiment, it should seal off all Sikh gurdwaras and declare the singing of *Raj Karega Khalsa* a criminal offence."

In Sikh polity, therefore, we find that religion and politics are not only intermingled but also inseparable from each other. To quote Guru Gobind Singh:

"Without political patronage religion cannot survive;
Absence of religion leads to political anarchy."

Pre-Partition Negotiations

Sir, — I thank Sardar Hukam Singh for welcoming the criticism of his views like a statesman and for accepting my proposal to deal with the events analytically and to lay down the lessons learnt from our past failures. His concluding remarks that, “If someone can tell me now, being wiser after the event, what we should have worked for and how we should have achieved them, I may be better able to examine that possibility”, have prompted me to dip my pen to express my views on the subject.

I feel that it is futile now to state what we could do then because circumstances have altogether changed now, therefore, it may be more useful to analyse the circumstances and the events to find out the faults in our approach. As I was a child of seven years at the time of partition, I could become wise (if at all) only after the events and, therefore, I can just ignore the taunting aspect of the proverb. My interest in the subject is only that of a student and I do not wish to malign anybody.

I simply wish the Sikh leadership to keep prepared for the future tides like a successful navigator. I just want to remind them that great dreadnaughts are built in silent and hidden quarters of the ports before they are called out in action and can with their multi-throated roar and fire rout their opponents. Even lions lie in wait.

Sardar Hukam Singh has admitted that the Sikh leadership was not well-equipped to meet the challenge of events. He writes: “I can never say that our leadership had the talent or stature or political foresight which could match the leaders of Hindus or Muslims. I have always criticised the leaders of that time.”

I feel that instead of just criticising the leadership we should investigate the reasons for this intellectually poor leadership of the community and should suggest the remedies, Analysis made by Ian Stephen (once editor of The Statesman of Calcutta and Delhi) in his book “Pakistan” at page 165 is perhaps very correct in this regard. He writes:—

“But in modern times their political leadership has often been poor, partly because their numbers are small but also because their talents are of a markedly practical, go getting sort. As a result of this second factor, their ablest men, the cream of the community, are continually being skimmed off into lucrative activities outside politics, Thus when, in 1947, they were faced with the need for great decisions calling for the utmost sagacity, most of these able men were not available; they were fully preoccupied elsewhere, in Government service, military or civilian, or in prosperous businesses.

Politics among Sikhs has in recent years been a profession which got not much more than the leavings.

“Further, though Sikhs throughout the centuries have often shown remarkable cohesion, they have seemed to achieve this in some intuitive way. As Spear puts it their rise to power during the middle of eighteenth century was rapid but disorderly; no strong chief existed to check them, but no accepted leader directed their movements. Even Ranjit Singh did not claim the despotic sway of a traditional monarch; to the end, though taking the title of Maharajah, he claimed to be

no more than the general of the Khalsa; he was, in some sense, its elected chief.

“When formal decisions have to be taken, Sikhs in theory at least take them democratically. Compromises must be reached; other men besides the knowledgeable or eminent must get their say. Western sentimentalists sometimes enthuse over the Jat Sikh peasant on his flat Punjab fields or for that matter, the tribal Pathan, fingering a trigger on a Waziristan precipice-edge, finding them, in their rough respective ways fine democrats; embodiment of a Greek ideal. But healthy democratic feeling among ploughmen or goat-herds perhaps has not assisted the Sikh or Pathan people any more than it did ancient Greeks in their little city states, in deciding big urgent problems wisely.”

Keeping in view the present mood of the Sikh masses and their temperamental weaknesses it will not be possible to substitute intellectual leadership during the coming two decades but it may be possible to append intellectuals in some other forms. For example, S.G.P.C. and Akali Dal should have two or three paid office secretaries, who are experts in various fields, to help the leadership in formulating policies. Further, Sikh press, should be modernised by associating experts with its editorial staffs. Sikh intellectuals in services may be asked to write for the press on specific problems facing the community and proper remuneration be paid to them. Editors of Sikh press should be given proper representation in the organisational and legislative wings of the party. Students in Sikh institutions be encouraged to take up subjects from modern Sikh History for research and a copy of all such thesis be retained in a reference library attached to S.G.P.C. office.

Sardar Hukam Singh has mentioned the lack of objective as root cause of failure. But I differ with it to some extent. The goal of ‘Sikh State’ was very much before the Sikh leadership and it was possible to achieve it with certain limitations which could be removed subsequently. But the Sikh leadership bungled as has been admitted by Sardar Hukam Singh when he writes. “The Sikhs faltered at every step with every move of the pendulum from a united to a divided India: they could not stand at one firm position.”

In fact, until last days the leadership continued harping upon the theme of one united India and for political safeguards. How the position of Sikhs would have been better if there was no partition, I have always failed to appreciate. If the Sikhs enjoyed some privileges during British India that were not due to their political situation but because of their strength in the army. British Government was more concerned about its hold on the army than with pressures from political group. This is clear from the note written by Major. General Lockhart for circulation to the War Cabinet Committee on India as reproduced in the book: *The Transfer of Power — Vol I, Page 238*. He writes:—

“....There is no evidence whatever to show that concessions to Congress would have any beneficial effect on recruiting or the fighting spirit of the Armed forces. At the same time if concessions to Congress were made as the result of agreement between all Indian political parties, the army would unlikely to be adversely affected. But such agreement seems extremely unlikely. What seems likely is that any concessions to Congress would produce a violent reaction from the Muslim League. Should this happen, and should Mr. Jinnah and his party attempt to stir up serious trouble, the effect upon the Army might be disastrous. Communal feelings, at present almost non-existent inside units, would be aroused. The soldier overseas whether Hindu or Muslim, would undoubtedly feel great and natural anxiety about affairs at Home, and morale and efficiency would most certainly suffer. Mohammedan recruiting might cease.

“To sum up, it is difficult to say how any concession to Congress would assist the war effort in respect to the Military personnel of the Army. On the other band, it might result in the ruin of the Indian Army as at present constituted.

“The Sikhs present a somewhat separate problem from other classes. They are a separate, warlike, and politically-minded community. In 1940 there was considerable anxiety over the Sikh situation and the number of recruits desired was difficult to obtain. One of the main reasons for this reluctance to enlist, as well as for the number of desertions which occurred, was the current opinion that if the Sikhs went overseas their lands and villages would be seized by the Mohammedans, who were plotting to seize power in the Punjab. Sikh, were, therefore, wanted in India to protect the community against the Mohammedans. The Sikhs might welcome concessions to the Congress if they did not involve concessions to the Muslim League.”

From the above note, it is evident that concessions to Congress were recommended only because the Sikh leadership had become just a camp follower of the Congress. If the Sikh leadership had played an independent role in modulating their destiny, they might have received a much more positive response from the British and the Muslims in achieving the desired goal. It was lack of determination and indecision which was the root cause of our failures.

Split personality is a dangerous State. The Sikh leadership approached the great political change impending in a divided state of mind. They always remained frightened from the prospect of Pakistan’s creation and never gave a cool consideration to the British suggestions for a political compromise with the Muslims. As I had quoted Mr. Jinnah from his book ‘*My Pakistan*’ in my previous letter on the subject, Jinnah was willing during the last crucial days to accommodate the Sikh demand, to a very great extent.

Sardar Hukam Singh writes, “Mr. Jinnah threw some temptations, but was insistent on reserving Defence, Foreign Relation and Communication for the Centre. Master Tara Singh and other Sikh leaders were apprehensive that if, and when power passed into Jinnah’s hand, the Sikh minority would be absolutely at the mercy of the Muslim majority. Therefore, the Sikhs asked for right of secession which Jinnah refused.”

Now let us examine this aspect a little more critically and in some detail to see if it was a wise decision on the part of the Sikhs, although as I have stated earlier in the beginning of my letter, this aspect has lost relevancy in the context of present changed situation.

Was it wise to reject Mr. Jinnah’s offer simply because he had not agreed to concede the right of secession? Was it wise to make a demand for such a right in the prevalent atmosphere of distrust? Guru Gobind Singh has provided us with an answer to these questions, when he says:—

*“Koi kisi ko raj na de,
jo koi le nij bal se le.”*

Who had reserved this right for the people of East Bengal! None! But they have got it.

The advantages of accepting the offer were obvious.

Firstly, it would have given international recognition to the Sikhs as a separate nation. Secondly, it would have helped to demarcate the real homeland of the Sikhs. No doubt, the Muslim attitude and response was not very encouraging but we too were expecting too much.

Sardar Hukam Singh has quoted talks between two co-prisoners to expose the Muslim

mentality. But are we facing a better Hindu mentality? Those prisoners were just ordinary men who may not be responsible in their talks, but I will just quote here from the book “*We Nehrus*” written by Krishna Hutheesing, a sister of Pandit Jawahar Lal Nehru. She writes;

“Ever since independence, the Sikhs had been agitating for a Punjab State of their own within the Indian Union. My brother had refused because he would not permit a state to be carved out on a religious basis. The Sikhs argued that the proposed State would not be based on religion but on language, as several other Indian States were. About two weeks before Indira went to Washington, Sikh leader Sant Fateh Singh threatened to go on a fifteen-day fast and to end up by burning himself to death. The Congress Working Committee, of which Indira is of course, still a member, agreed to the formation of a Sikh State. I am sure Indira was over-ruled, for though she is very gentle, she is firm and will not be bullied by threats of this sort. If it were up to me I’d tell them to save the trouble of fasting and get on with it, or *send a firing squad to hasten them to Sainthood.*”

Sikhism perhaps faces greater danger to its identity from the fraternal embrace of Hinduism than it could expect from the possible Muslim’s persecution. Even writers like, ‘Barstow’ have admitted that: “at heart, Hinduism has always been hostile to Sikhism.” Frankly speaking the deeds and words from the past history were so close to the minds of the Sikh leaders that they failed to consider British suggestions on merits and rejected Jinnah’s offer outright.

According to Ian Stephen “Two-and-a-half grim centuries of History disposed them towards an unhesitatingly anti-Muslim attitude as had indeed been evident from their main political organisation’s immediate antagonism, in May 1946, to the grouping proposed in the Cabinet Mission’s Plan (*Pakistan Page 164*).

According to independent observers, it was a great opportunity which was missed by both the Muslims and the Sikhs. To quote Ian Stephen again —

“A great opportunity was let slip, that a less empty answer would have spared the Punjab carnage and partition, and moreover would have brought into existence a Pakistan geographically bigger, and militarily and economically much stronger than in fact emerged. And memories of former bitter strifes, critics might add, need not invariably prevent effective partnership. Nations and peoples do forget. For instance, only nine years after the end of second of two wars of devastating ferocity, fought within a generation, Britain and Germany became allies within NATO.” (*Pakistan page 171*).

To know the exact suggestion, I will just quote from Sir S. Cripps note dated 27 March, 1947 regarding his interview with Sardar Baldev Singh, Sardar Ujjal Singh, Master Tara Singh and Sir Jogendra Singh. The whole note makes an interesting study of the Sikh situation but as this article is getting lengthy I will just quote some part of it to inform the readers of the exact position.

He writes: “...I pointed out to them the successive stages at which they might hope to be able to exert pressure which would enable them either to remain part of the single Indian Union or to get some provincial autonomy within the second union if such was formed. These stages were as follows; ... setting up within the province of the Punjab of a semi-autonomous district for the Sikhs on the *Soviet model*. If this failed and the constitution did not contain sufficient clauses to satisfy the Sikhs, then in the treaty which would be negotiated contemporaneously with the

framing of the constitution we should be able to insist on the insertions of minority protection clauses in accordance with the definition set out in the document. The form of these would be a matter for negotiation.

(Transfer of Power, Vol. I, Page 495)

The above note provides two key protections to remove Sikh apprehensions i.e. safeguards in the constitution and in terms of the treaty. If a Sikh-Muslim settlement would have been reached, the British would have agreed to incorporate the terms of this agreement in Act vide which power was to be transferred. Sikh States through a treaty with the British could have continued to enjoy the sovereignty which they had during the British rule and this could have served as a deterrent to any Muslim adventure.

Why did Master Tara Singh meet Sardar Patel the very next day after his meeting with Mr. Jinnah in 1947 and disclosed the whole conversation to him? Who were the traitors of Sikh cause who worked as tools of Sardar Patel to wreck the settlement?

These are secrets of history but some of these persons were definitely rewarded after partition.

However, I do feel that it was not want of resources and opportunities which forced us to be so helpless and hopeless but it was the want of practical insight in practical realities and the tact to use them which caused our failures.

— Gurmit Singh (Spokesman Weekly, 25th Feb. 1973)

Failure Of Sikh Leadership - II

— By: Sardar Hukam Singh

I have read with utmost attention the ready response of Sardar Gurmit Singh Advocate Sirsa (Hissar) to my invitation; "If someone can tell me even now, being wiser after the event, what we should have worked for, and how we should have achieved that, I may be better able to examine that possibility."

Sardar Gurmit Singh shows deep understanding and vast study of the literature on partition, though at the actual partition, he was only seven years of age. I have respect for his views and appreciation for his knowledge. I never intended to convey any taunt in the words, "being wiser after the event" to anyone, and least of all to this young man. I am sorry if he has felt anything of that kind.

I was nobody at the time of partition and consequently not fit to be consulted at any moment. Sardar Gurmit Singh is very angry with Master Tara Singh as he met Sardar Patel the very next day after his meeting with Mr. Jinnah in 1947 and disclosed the whole conversation to him? Who were the traitors of the Sikh cause who worked as tools of Sardar Patel to wreck the settlement?"

I cannot answer this query. There ought to be no wonder if Sardar Patel used some Sikhs to wreck the settlement with Mr. Jinnah. It was only natural that Sardar Patel should mobilise all his wits and resources to obstruct any such settlement. Jinnah was also doing the same thing. It was for the Sikh leadership to exercise its own discretion and safeguard the community's interests.

Quoting extensively from Ian Stephen, Major General Lockhart's note and Sir Stafford Cripps's interview with the Sikh leadership, Sardar Gurmit Singh concludes and sums up that if a Sikh Muslim settlement would have been reached the British would have agreed to incorporate the terms of this agreement in the Act vide which power was to be transferred. "Sikh States through a treaty with the British could have continued to enjoy the sovereignty which they had during the British rule and this could have served as a deterrent to any Muslim adventure."

With all respect for his views I have to disagree with Sardar Gurmit Singh. In the end he observes that "However I do feel that it was not for want of resources and opportunities which forced us to be so helpless and hopeless but it was the want of practical insight in political realities and the tact to use them which caused our failures." Supposing this was correct at least now with all the experiences and maturity we have gained, we can coolly think of the alternatives that our leaders had at that time.

I had said in an earlier article that the Sikhs had no specific and clear objective. Differing with me Sardar Gurmit Singh thinks that the goal of the Sikh State was very much before the Sikh leadership. This is not borne out by facts.

In 1945 during Wavell conferences at Simla younger Sikh elements had urged Master Tara Singh to ask for a Sikh State, but he summarily rejected the suggestion.

During Cabinet Mission discussion the interview of the Sikh leaders with the members of the Mission has been graphically described by V.P. Menon in his book '*Transfer of Power in India*'. Menon was personally present and taking down notes. His authenticity must be accepted. He writes:—

“The case of the Sikh community was presented by Master Tara Singh, Giani Kartar Singh and Sardar Harnam Singh as well as by Sardar Baldev Singh. The first three were interviewed together, though each had his own individual views to put forward.” According to this authority, the Mission wished particularly to know whether if it were given the choice, the Sikh community would prefer the transfer of power to a single body or more than one body, of powers were to be transferred to two bodies which of them would the Sikh community wish to join, and if such were practicable and could be arranged, would the Sikhs wish to have a separate autonomous State of their own?

According to Sardar Gurmit Singh the Sikhs would have asked for a “separate autonomous State of their own.” Theoretically it seems sound and easy with all our experiences during the last 25 years. But the question was whether this was ‘practicable’ and whether the Cabinet Mission could have recommended that. The Sikhs had no majority in any area. If the leaders had asked for it, and whenever this was done, the next question was, what was the area that could be included in that “Sikh State”. There was no answer to this. It is not worthwhile suggesting that the Hindus and Muslims could have been evicted to create a Sikh majority area. And if there could not any majority of the Sikhs, then there was no idea of imagining a “Sikh State”.

The best safeguard that could be conceived of in the interests of the Sikhs was the scheme of ‘Azad Punjab’ where no one community could have enjoyed absolute majority, and each would have sought the help and co-operation of the others. If that was opposed by both Hindus and Muslims and the Britishers could not secure even that for the Sikhs, it is simply idealistic to think that a Sikh majority area could have been created by the British Government.

The answers to the Cabinet Mission reflect that there was utter confusion in the thinking of the leaders. Menon reports that, “Master Tara Singh said that he stood for a united India...” but if India were divided the Sikhs would come under the majority of one community or the other, in that case they would prefer a separate Sikh State *with the right to federate either with Hindustan or Pakistan*. I have underlined “with the right to federate either with Hindustan or Pakistan” as no one was expected to accept that.

“Giani Kartar Singh said that the Sikhs would feel unsafe in either of the United India or Pakistan. They should have a province of their own where they would be in a dominant or almost dominant position.” In reply to Sir Stafford Cripps, who asked what would be the area of the proposed Sikh State, Giani Kartar Singh suggested that it should be the whole of Jullundur and Lahore divisions together with Hissar, Karnal, Ambala and Simla districts of the Ambala division and Montgomery and Lyallpur district. Now if population figures were worked out the Sikhs in the proposed area would have been a very small minority. It cannot be believed that the majorities would have migrated out to India and Pakistan to allow Sikhs to have a dominant position. Unless the Congress and Muslim League had agreed, the British Government could not have turned out Hindus and Muslims from this area.

Both Master Tara Singh and Giani Kartar Singh had desired in one form or another for the

“Sikh State,” which Sardar Gurmit Singh now suggests, but both did that with reservation as they themselves were doubtful of its practicability.

“Sardar Harnam Singh was opposed to the partition of India. Such a step, he said, would be against the wishes of the Sikh Community. A divided India would be a prey to foreign invasions, and there could be no safeguards except in an independent Sikh State. He advocated an increased representation of Sikhs in the proposed constitution-making body and pleaded for a separate one for the Sikhs if there were to be more than one constitution body.”

Sardar Baldev Singh asked for a united India. When asked to specify how ‘Khalistan’ could be formed, Sardar Baldev Singh replied that, “it would be the Punjab excluding Multan and Rawalpindi divisions with an approximate boundary along the Chenab river.”

It is significant that though everyone believed safety could be only in a ‘Sikh State’, each one differed from the other as to what area would this comprise, and how a majority could be achieved. Without any clear conception of how that ‘Sikh State’ could be achieved, it was not possible to press the suggestions to their logical conclusions. Consequently every writer has blamed the Sikh leadership for failure.

I am glad Sardar Gurmit Singh has not now suggested that an independent Sikh State could be created as a third dominion, but he feels that some understanding with Muslim League for a semi-autonomous unit with statutory safeguards in the Independence Act would have been more advantageous for our security and honourable existence as compared to what we have received from the Congress in return for the faith we reposed in it. I shall try to discuss that also later. (Spokesman, 26th March 1973)

Failure Of Sikh Leadership-III

Sir, as Sardar Hukam Singh has agreed to give his views on the various points raised by me and others, at a relevant stage, I feel inclined to continue dealing with some other aspects of the subject, through the columns of your esteemed journal.

One basic cause of our failures has been that Congress, although clearly dominated by persons who bear a bias against the Sikhs, has always been successful in disrupting and disuniting us, with its vast resources, thus making us incapable of any concerted action. The Congress leaders always condemn the British for adopting a policy of 'divide and rule' but they have themselves followed the same strategy vis-à-vis the Sikhs.

Racially, majority of the Sikhs come from martial races who joined Sikhism, then a movement of liberators, because it provided hope for the fulfillment of their aspiration to rule this land. But as Sikh rule was short lived, these aspirations could not be satisfied fully and this desire has always remained a weak point in the Sikh character, which has always been exploited by shrewd Congressites.

The elections of the winter of 1945-46 were the most crucial for the future history of India, not only because the 44 elected members were to form a constituent assembly, but also because these elections were to serve as an index of people's demands and their determination to get these conceded. The Congress Party sensed the importance of these elections and made an all out bid to divide the Sikhs to finish them as a forceful separate entity.

The Congress leaders posed to negotiate a compromise with the Akalis because they were afraid of a possible accord between the Sikhs and the Muslim League, but secretly they tried to create a rift in the Sikh ranks. When an electoral alliance was about to be reached, Sardar Sant Singh of Lyallpur, a Patel's agent amongst the Sikh, informed Sardar Patel telegraphically on December 22, 1945, "Disintegration amongst Akalis started. They stand thoroughly exposed. Please decline adjustment."

(Patel's Correspondence-Vol. 2-Page 288)

Sikhs sensed these malicious designs of the Congress but the Sikh leadership failed to learn any lesson. Even Hindu Congressmen warned their leaders against the possible consequences of adopting such a policy towards the Sikhs, as is evident from the letter dated 18th December, 1945 which was addressed by a Congress worker to Sarat Chander Bose which the latter sent to Patel. It reads:

"If tried Congressmen are put up against Panthic nominees one can understand but when mill-owners and millionaires are allowed to put on the Congress label, as has been done in the case of Sardar Inder Singh, Sikhs naturally feel that the Congress is putting up a fight not because they have better candidates but because they want to create friction amongst the Sikhs. This feeling is getting stronger and naturally Congress prestige suffers."

(Patel's Correspondence Vol. 2 - Page 287)

At the time of Cripps's Mission, some Congressite Sikh leaders led by Sardar Dasaundha Singh, had met Cripps and opposed the demand for a Sikh State and had demanded that if ever a Sikh State is conceded then a separate area out of that state should be demarcated for the Sikhs of

a particular caste. They thus served as tools of the Congress and stabbed the Sikh cause. The Sikhs will have to check the activities of such traitors before fighting the others. We are ourselves more responsible for our failures than betrayal by others. While vital issues concerning the future of community were being decided, Sikhs continued to fight for petty offices. Sir B. Glancy (Punjab) wrote to the Marquess of Linlithgow as under:

“The obvious course for the Sikhs to pursue is to seek a satisfactory basis for combining with the major community in the province. The Sikhs are still clamouring for what they profess to regard as their due representation on the Governor General’s Executive Council and in the Punjab Cabinet”

(Transfer of Power - Vol. 2 Page 7)

Master Tara Singh has also made a reference to the petty quarrels amongst the Sikh leadership in his autobiography. He writes “Amongst the Sikhs of Rawalpindi, those who opposed the demand for “Azad Punjab” were its supporters until they were dethroned from the Presidentship of Gurdwara Panja Sahib. They approached me through Giani Kartar Singh with an offer that if this Presidentship is restored to them they will work hard to eliminate all opposition to the Azad Punjab scheme.”

(Edited by Jaswant Singh, Page 193)

In fact all Sikh leaders were out to race for offices and none cared to look after the Sikh interests selflessly. About Sardar Baldev Singh, Sir B. Glancy (Punjab) wrote to the Marquess of Linlithgow, “There are signs that Baldev Singh is inclined to attach increasing value to his appointment as a Minister and that he is likely to run out of the ropes.”

(Transfer of Power Vol. 3, Page 248)

Due to division in their ranks the Sikh leaders failed to adopt a definite strategy and as a result none in the major parties trusted them. Sir B. Glancy wrote to the Marquess of Linlithgow — “Master Tara Singh and his Akalis are notorious for sailing in two boats.”

(Transfer of Power Vol. 2, Page 408)

If the Sikh leaders had worked unitedly and selflessly for the Sikh cause the map of the sub-continent would have been very much different from what it is today. I will discuss this point in detail in my next letter.

Sirsa (Haryana)

Gurmit Singh

Advocate

(Spokesman, 26th March, 1973)

Failure Of Sikh Leadership in 1947-IV

--By: Sardar Hukam Singh

I must admire the tenacity of Sardar Gurmit Singh, Advocate Sirsa, and concede my incapacity to keep pace with him. In the latest issue of 'The SPOKESMAN', bearing the date March 26, there has appeared another letter in which the lawyer in him has argued that, "In fact all Sikh leaders were out to race for offices and none cared to look after the Sikhs interests selflessly", Sardar Gurmit Singh concludes, after giving quotations from "Transfer of Power" and "Patel's Correspondence" that "If the Sikh leaders had worked unitedly and selflessly for the Sikh cause the map of the sub-continent would have been very much different from what it is today". He has further promised "to discuss this point in detail" in his next letter. I would welcome this discussion, though I feel diffident in coping with the whole subject when it is so dealt with from various aspects.

I have taken note of another letter, published in the same issue, and contributed by Sardar Jagjit Singh of Green Park, Delhi, wherein he has advised us, "It is no use now lamenting over the past failures. Sikh intellectuals should do some hard thinking and place their views before the people about the future course of action with the object of retrieving the position of the Panth." I do agree with Sardar Jagjit Singh that the 'Present' is more important to look after, and to plan for the 'Future', but looking back and analyzing the 'Past' is not mere lamenting over it, but scrutinizing the past and understanding the mistakes, under particular circumstances, brings into prominence our weaknesses, so that we can learn to remove them and live better future. With this end such a discussion is not incompatible with 'hard thinking' about the 'future course of action' rather that should help such a course of action as is counseled by Sardar Jagjit Singh.

Sardar H.S.Brar had also joined the discussion and has been quoted with approval by Sardar Jagjit Singh in his letter. In response to my invitation for concrete proposals Sardar Gurmit Singh posed certain questions in his letter published in the issue of February 25. He enquired:

- (1) Was it wise to reject Mr. Jinnah's offer simply because he had not agreed to concede the right of secession?**
- (2) Was it wise to make a demand for such a right in the prevalent atmosphere of distrust?**

Then he goes on to assert that Guru Gobind Singh has provided us an answer in

"Koi kisi no raj na de hain
Jo leh hain nij bal se leh hain."

The saying of Guru Gobind Singh is an incontrovertible truth, but how is that relevant in our case, is difficult for me to understand. This dictum would mean that we could never have got power by begging from anyone, English, Hindu or the Muslims. Power could only have been wrested from the authority by our own strength. Once having surrendered the Defence and External Affairs to the Central Government of Pakistan where would we have got our strength from? Even if, in the beginning, Jinnah had agreed to our one third share in the armed forces what was the guarantee that this proportion would have been maintained. Even if this ratio had been

maintained nominally, the real command would have been in Muslim hands, and there must have come up many Teja Singhs and Pahara Singhs who would have betrayed us. I believe this must have been the first job of Pakistanis to break our bones of strength.

If this had been done, would there have been any remedy for us? Would there have been any forum to appeal to? Was there any country that could have sponsored our cause in the United Nations? And even if it had been so done, what are the sanctions that the United Nations possesses to enforce its resolutions that remain flouted and defied?

Sardar Gurmit Singh has referred to some Constitutional guarantees that could have been secured from Pakistan. It is astonishing that a well-informed lawyer should have faith in the Constitutional guarantees of any nation, and out of all the nations and one of Pakistan. Constitutions are trampled upon and reduced to dust by dictators. They crumble under the weight of changing conditions, and are modified out of recognition even in democracies when majorities so desire. If in spite of what has happened to the Constitution in Pakistan, since its birth, Sardar Gurmit Singh still believes that any guarantees secured from Jinnah would have been considered sacred by the rulers of Pakistan, then he is welcome to his views. He would, in such a case, permit me to differ from him.

With all the experience that we had, since independence, about the agreements arrived at between India and Pakistan at the time of partition in respect of

- (a) compensation for excess value of property left by evacuees;
- (b) Utilisation of river waters;
- (c) Payment for electricity used;
- (d) Division of assets and liabilities;
- (e) return of abducted women;
- (f) and many other matters;

there is not one, I dare say, which was genuinely and willingly performed. The Indian Government lost hundreds of crores in her failure to get the agreed performance done by Pakistan. Some of these agreements were arrived at through mediation of the English, and at least one by the arbitration of the World Bank. None could intervene when the stipulations were not adhered to. The fate has been much worse of the agreements that were entered into bilaterally between Pakistan and India.

It is very difficult for me to argue with Sardar Gurmit Singh when he poses the questions: **(I)** Was it wise to reject Mr. Jinnah's offer simply because he had not agreed to concede the right of secession?

If this right was even conceded, and then the Sikhs had been chained in as a link of Pakistan, then even there was not adequate guarantee for the successful execution of this if the Sikhs had felt disillusioned afterwards and wanted complete independence. The case of Soviet Republics is a good guide. Stalin, had with the concurrence of Lenin, allowed freedom to the integrating Republics to secede, if any of them so desired. But steps were soon taken that none dared raise a voice about it. If Sardar Gurmit Singh feels that every Republic is so contented and satisfied that it has never thought of secession, then he is mistaken and should wait for some more time to form his final opinion.

If Jinnah was not agreeable to grant the right of secession, then no other guarantee could have been of any avail. I have differed with Master Tara Singh on many issues, and I cannot

approve of all that he did at the time of partition or since independence but I support his decision at that moment to refuse to fall into the trap, from where it would have been impossible for us to extricate ourselves at any cost.

Failure of Sikh Leadership-V

Sir, I am glad that Sardar Hukam Singh continues to reply to all the *points* raised by me and others through his scholarly articles. Sardar Hukam Singh has a command over the subject and my object in entering into a discussion is simply to elicit more details and facts from him so that sufficient material comes out to help the future historians to give their verdict.

So far both of us have agreed on the following basic points:

- a) The creation of a *Sikh* State was extremely difficult. Sardar Hukam Singh feels that it was an impossibility while I consider it an improbability.
- b) The Sikh leadership at the time of partition was not of a high calibre.
- c) It was possible to negotiate and secure better terms and conditions for the Sikh people. Sardar Hukam Singh, however, feels that not much could be achieved, with which I disagree to some extent.

Point (c) has considerable relevance to present conditions and, therefore, I will like to deal with this point in detail in my next letters by quoting from the provisions in the constitutions of Switzerland, Scotland and Soviet Union to show how autonomy within autonomy has been recognised therein. Today I am dealing with point a) to give some more details.

A Punjabi proverb says “*Larhen Faujan Te Nan Sarkar Da*” i.e. it is the soldiers who fight but it is the leadership which gets the credit or discredit. So it is but natural that we always condemn the leadership for our failures and exculpate the masses who are always the root cause. In fact, Sikh masses are equally to blame, if not more, than the leadership for our failures. Frankly speaking, Sikh masses have always betrayed the leadership by denying them vocal, vehement and determined support at the crucial moments.

To substantiate my assertion, it is enough to quote the following instances:

- i) When in 1888, Maharaja Dalip Singh declared himself the “Sovereign of the Sikh nation and proud, implacable foe of England” at Moscow and issued a royal decree declaring his intention to enter India with a European army with the material support of Russia and appealed for one anna from each in Punjab, the Sikh masses failed to rise to the occasion. Leaving aside the Sikhs of a village in Lahore District which refused to pay its land revenue to the British, saying that tribute was due only to their king who was shortly to arrive in India, the response from the Sikh masses was not at all encouraging. Khalsa Dewan, Lahore, sent a disclaimer to please the British and the masses remained silent spectators.
- ii) During Master Tara Singh’s fast unto death from 15th Aug. to 30th Sept. in 1961 for achieving Punjabi Suba, the attitude of Sikh masses was “*Charh Ja Bache Suli Ram Bhali Kareng*”. Sikh masses simply waited for the death of their leader and did not show even a glimpse of their possible violent reaction. It encouraged the Government to pose to be bold and confident.
- iii) Dr Jagjit Singh, a prominent medical practitioner who had in Punjab an average monthly income of Rs. 3,000/- from his profession and was at one time Finance Minister in the State, is living outside India to ‘awaken the conscience of the world’. One may not sympathise with his

approach for political reasons but can't the Sikh people send a few gifts to his children in India to express their moral support on at least humanitarian grounds?

So Master Tara Singh is right in his autobiography when he writes that one weakness of the Sikh case was that during the crucial 1945-46 elections, only 23 members were elected on Panthic tickets while the remaining 10 were elected on the Congress ticket and the Congress was opposed to the demand for a sovereign Sikh State. If all the 33 members had been elected on Panthic ticket, the position would have been different and the Sikh demand would have received better response.

(Autobiography – edited by his son Jaswant Singh. Page-196)

The British had no desire to encourage the demand for a Sovereign Sikh State and they wanted Sikh-Muslim rapprochement to balance the Hindu India. The practical difficulties in conceding the Sikh demand were, of course, very much there. These facts come out clearly from the following correspondence.

Expressing his apprehensions about the encouragement which the speeches in British Parliament had provided to the demand for a Sikh State, Sir B. Glancy (Punjab) wrote to the Marquess of Linlithgow on 1st May, 1942:

“The Sikhs, although, as I have recently told you, they are undoubtedly relieved by the rejection of the offer brought by Sir Stafford Cripps, are still feeling distinctly restive. Master Tara Singh and his lieutenants have found it an easy matter to stir up communal feeling at the alleged danger of the Sikhs being subjected to Muhammadan rule in the Punjab, and they are loath to cease from exploiting this opportunity. They will no doubt derive some degree of comfort from the sympathetic references made to Sikhs in the debates which have just taken place in Parliament, but it is to be hoped that these expressions of sympathy will not go to their heads and lead them to believe that “Khalistan” is regarded in responsible quarters as a practicable proposition. As you are well aware, the practical objections to “Khalistan” are even greater than those which lie in the path of Pakistan. Apart from the upheaval that would be caused by tearing out a large section of territory from the vitals of the provincial body politic, it is worth remembering that there is not one single district in which the Sikhs command a majority. Another illustration of the complexity of the problem is to be found in the Punjab State’s agency. Little reliance can be placed on the results of the last census (of 1941) owing to the determination of all the communities to inflate their own figures, but it is true that a few years ago, though there are half a dozen Sikh States in the agency, there was only one state, the Muslim state of Malerkotla, where the majority of the population were Sikhs.

The obvious course for the Sikhs to pursue is to seek a satisfactory basis, for combining with the major community in the Province”.

(Transfer of Power - Vol. 2 Page 7)

These apprehensions were not unfounded. Sikh leaders had really drawn some encouragement from the speeches of Sir Stafford Cripps and Mr. Amery in the British Parliament and Master Tara Singh had written a letter on 4th May, 1942 to Sir Stafford Cripps thanking him and Mr. Amery for their sympathetic approach. He wrote, “Mr. Amery’s reassuring words and your sympathetic language in the Parliament have encouraged the Sikhs a good deal. The only party which will object to the division of the Punjab as proposed by the Sikh representatives will be the Muslim League. If the British Government be prepared to accept this proposal of the Sikhs, there is a likelihood of the final solution of the communal problem. In that case, I may be able to persuade the Congress and the Hindu Mahasabha to agree to the communal solution

outlined in your proposals, as amended by the Sikh proposal. If there be some idea of arriving at some solution in this direction, I might see some responsible Indian politicians”.

(*Transfer of Power-Vol. 2 - Page 27*)

But here again Master Tara Singh was wrong. He had failed to understand the Hindu mentality and was nursing unnecessary hopes and expectations. Mahatma Gandhi had betrayed his mind in 1924 when he had refused to lend his support to the Jaito Morcha unless the S.G.P.C gave him an assurance —

(1) That the movement is neither anti-Hindu nor anti any other race.

(2) That the S.G.P.C. has no desire for the establishment of Sikh Raj.

(*Some confidential Papers of The Akali Movement* edited By Dr. Ganda Singh — Page 54)

So soon after the above-said letter written to Cripps he had a rude shock from the Hindu leaders. He writes in his autobiography:

“When Mahatma Gandhi, Pandit Jawahar Lal Nehru and other Congress leaders were in prisons in connection with Quit India Movement of 1942, C. Rajagopalachari, who was outside prison, was trying for compromise between the Muslim League, the Congress and other Communities so that they may compel the British to quit. By then Labour Party Government had been formed in England which was more favourably inclined towards the Congress than the Muslim League.

“Raja had consulted Mahatma Gandhi and other Congress leaders in prison and he had prepared a scheme for communal accord and he had placed it before the leaders from various provinces.

About 20 to 25 Hindu and Sikh leaders were sitting in Birla House while Jinnah was sitting at his residence. Raja Maheshwar Dyal was serving as emissary. Thus we were able to reach a compromise by indirect negotiations.

“According to this compromise, the areas, where Muslims constituted 65 percent or more of population, were to be included in Pakistan. Thus our border was to be beyond Ravi river. Although, our border couldn't have reached Chenab, yet Lahore, Sialkot, Gujrawala and most of Sheikhupura area and some parts of Lyallpur and Montgomery would have come to our side of the border.

“Mr. Jinnah had imposed a condition that the details of this compromise should not be leaked out until it is finalised and people should know about it through newspapers only. Jinnah had said that if the news leaked out earlier, he would contradict it.

“After the accord had been reached verbally, it was proposed on our side that it should be reduced to writing. Then Gokal Chand Narang suggested that some more Punjabi Hindus including Sanatan Dharmis be summoned. The above said gathering included only Gokal Chand Narang from amongst Punjabi Hindus while myself and Giani Kartar Singh represented the Sikhs. As per Gokal Chand Narang's suggestion, Swami Ganesh Dutt was telegraphically invited. He came with another person and rejected the accord outright and thus the compromise failed due to us and not due to Jinnah.

“After the failure of these negotiations with Jinnah, I and Giani Kartar Singh felt that the formation of Pakistan was inevitable and, therefore, we should take care of our population by doing something. We consulted Rajgopalachari and we directed our efforts towards a partition by which our Community should get something too. With this object in view we worked out Azad Punjab scheme.

(*Autobiography* — Edited by Jaswant Singh — Page 191-192.)

But as I have mentioned in my previous articles, this demand failed to gain support because it was put forward with this condition that “if Pakistan is created.” This ‘if’ had taken out all force from the demand and was never given a serious consideration.

Giving personal explanation of his speech In Parliament, Mr. Amery wrote to the Marques of Linlithgow on 20th August 1942: “You have referred to the encouragement to separation which the Sikh may have derived from the Cripps Mission or from references in my own speeches. Undoubtedly, there is nothing that with any justification they can point to as pledge, though that is not to say that they will not try. Clearly, however, the more Pakistan is pressed, the more Sikhs are likely in their turn to press for a degree of autonomy sufficient to protect them from Muslim domination. Advocacy of an independent ‘Sikhistan’ is, I imagine, bound sooner or later to give us trouble and if time and opportunity permit I conceive that it would serve useful purpose to clear our mind on the facts and to have explored the various possibilities they suggest in advance of any further constitutional discussions.

“At a superficial glance, the propounding of any practicable scheme seems to me to bristle with difficulties. I should judge that a separate Sikhistan is really unworkable *without extensive* transfers of population in order to mitigate the fresh minority problems that it would raise. We have on record here the views of the Government of India on certain schemes adumbrated at the Round Table Conference but we have not the means of investigating the question fully. I do not know if you would care to consider the desirability of entrusting this task to your Reforms Department in consultation with the Punjab Government. Complete secrecy would, of course, be essential, not only to avoid raising false expectation among the Sikhs themselves but also to prevent encouragement to separatist tendencies in other provinces like Madras and Bombay. I shall be glad to learn the results of any enquiry that may be undertaken.” (Transfer of Power - Vol. 2 Page 770)

Although no such enquiry was undertaken because the Viceroy felt that such an enquiry would provide further encouragement to the demand, yet it is clear from the above letter that the possibility of creating such a ‘Khalistan’ was not ruled out, although it was termed a difficult proposition. If the Sikh leadership had shown the same determination which it had expressed through its resolution in February 1946 that the demand is unconditional, the absolute and minimum demand and the political objective of the Sikh Panth as a whole. It was possible that the British might have agreed to a planned migration of population which was, of course, the only way to meet the demand. The whole geographical and constitutional structure was in a melting pot and all the parties were anxious to arrive at a settlement and in such an eventuality anything could be got conceded to by adopting a strong and determined posture.

Jinnah had publicly declared in a press interview on 22 March, 1946 that “the Sikh as a nation are entitled to a State of their own. I am not opposed to it as such provided they show me where it can be created. I assure the Sikhs that I am ready and willing to do all I can to bring about

a settlement between the Sikhs and the Muslims.”

Jinnah had himself suggested exchange of population and Sikh leadership had supported the suggestion in July 1947, but the Congress leadership did not care to take it up. Such a planned migration was also suggested by Sir Even Jenkins, the Governor of Punjab, when he wrote to Lord Mountbatten: “I believe there is quite a lot in the claims of the Sikhs, and for that matter, of the other residents of the East Punjab for a share in the canal colonies of the West and the Giani’s idea that the Montgomery district should be allotted to the East is by no means as ridiculous as it sounds. The district, if so allotted to the East, could be recolonised so as to concentrate the non-Muslims there and transfer Muslims to Lyallpur.”

In fact, the Sikh leadership was not self-confident because it was ill-equipped for the events. Master Tara Singh confesses this fact in his autobiography when he writes:—

“The reason for our not pressing the demand for a Sikh State was our ignorance of history and world politics. None of us had known that a community can have a state of its own in spite of its being a minority in that area. Jewish State ‘Israel’ is one such recent example. I came to know about it in 1949 when I was in Almora prison. I was informed there by someone that Russian newspaper ‘Parvada’ had once commented that ‘in this world there are two communities who possess all the ingredients of being a nation but have no homeland of their own. These communities are the Jews and the Sikhs. The Jews have got their homeland but the Sikhs have no homeland so far.

“When Israel came into existence, the Muslim population there was six lakhs, Christians were 86,000 while Jews were only 46,000. But within a few years, the population of Jews has grown up to six lakhs due to migration of Jews from other countries. But for such ignorance we might have obtained a Sikh State particularly when the Britishers sympathised with us.”

(Autobiography - Page 197)

From these facts it is evident that the demand could be conceded to if the Sikh leadership had shown strength to resist and will to assert their separate identity and wisdom to foresee the events.

— Gurmit Singh (Advocate) Sirsa
Spokesman, 13th April, 1973)

Failure Of Sikh Leadership In 1947-VI

-By: Sardar Hukam Singh

I do realise that there is a gap between **me and Sardar Gurmit Singh, Advocate, Sirsa**, of not only one generation, but of two, and therefore, there is no wonder that there are differences in approach and outlook of ours. There can be temperamental differences among two persons of the same generation. Even Master Tara Singh usually explained, whenever I differed from him, that there were temperamental differences between us too. He believed that I was weak and he was strong. I agreed with the first, but never conceded the second. Even then we pulled on as long as we could, and parted company when we could not. However, this is a different story.

I tried to answer Sardar Gurmit Singh's first question; "Was it wise to reject Mr. Jinnah's offer simply because he had not agreed to the right of secession." In my view "the right of secession" even would not have been of much advantage ultimately, as it would have become very difficult, if not quite impossible, to enforce it once we had allowed ourselves to be roped in. Without this right it would not have been 'wise' at all to join Pakistan as a sub-autonomous unit. The United Nations have not been able to come to the help of independent countries even, such as, Egypt, Hungary, Czechoslovakia, whenever occasion arose, and their independence was threatened by great powers, how can we, then, conceive of any succor from this important organisation where the representatives of various countries, talk, talk and go on talking tirelessly without achieving anything concrete, as the attitudes are shaped and talking prompted only by self-interest and never by merits of the issues involved.

The second question, which is self-answering has puzzled me more than the first. "Was it wise to make a demand for such "right in the prevalent atmosphere of distrust?" Sardar Gurmit Singh asks. When he admits that there was "prevalent atmosphere of distrust" how could Master Tara Singh shed his fears and repose absolute confidence in Jinnah and the Muslim League. Earlier Sardar Gurmit Singh had quoted Guru Gobind Singh's famous couplet:

*"Kol kisi ko ruj na de hain.
Jo le hain nij bal se le hain".*

Now I would draw his attention to the Zafarnamah of the great Guru. That is full of truths. How could Master Tara Singh have forgotten the Zafarnamah, and the history of Punjab for about a century? And could Master Tara Singh ever believe that the Muslim League had forgotten that history? I am glad that the generation of Sardar Gurmit Singh that is now stepping in to take responsibility, is nursing hopes, and developing quite fresh attitudes. I and others of my age and ilk can welcome these approaches only if there is a corresponding change in the youngmen of Pakistan as well, otherwise we would caution our youth also to pause and ponder before they take immeasurable jumps.

I have no hesitation in saying that we have been betrayed on this side by the Congress. But this does not mean that Muslim League would have kept its promises. I may be pardoned when I assert that our fate would have been much worse if we had surrendered to Jinnah on his terms.

Earlier I had said that the English administrators desired that the Sikhs joined Pakistan as the former wanted to make Pakistan bigger in size and stronger in military strength, for they had feared that India, in future, would always toe an independent line as a big country, while they

expected Pakistan to remain an ally of the British. This assertion of mine was disputed by other contributors. I will try to substantiate this by recorded evidence. The argument that, if they had so wished, they could have advised Radcliffe to include more areas in Pakistan does not hold good, as by the time the Award was to be given, Lord Mountbatten had given a tilt in his policies in favour of India, as he had felt disillusioned about Jinnah, who had first assured Mountbatten to accept the latter as the Governor General of Pakistan also, but just at the last moment repudiated that and announced himself as the Governor General of the new country. When Mountbatten sent, for approval, a plan to London on May 2, 1947, in which he “proposed that the British pull out after handing over power to the provinces established under the Government of India Act if the Indian leaders failed to agree among themselves on the new Constitutional set-up”. Patel demonstrated his vast capacity for maneuvering. In his own words:

“When I was informed of this by V.P. (Menon), I suggested that the *Congress should throw a bait to Mountbatten*, namely that India would be willing to accept dominion status and appoint him as Governor-General. The move worked and Mountbatten got the impression that the Congress was not as hostile to the British as the Tories in London had imagined. Mountbatten thereupon prepared with the help of V. P., a new plan on the basis of partition. Mountbatten thought that he could make Jinnah agree to the plan, and that, even if Jinnah did not agree to a United India, having dominion status, he would agree to India and Pakistan having him as a joint Governor General. Mountbatten consulted Jinnah who gave him the impression that he was agreeable to the latter suggestion”.

(*India from Curzon to Nehru and After* - Page 244)

On page 247 Durga Das further records that when Mountbatten returned from London after getting his final plan approved by Prime Minister Attlee, a shock was in store for him. The author says that Patel told me later the same month that “when it came to finalising the deal, Jinnah backed out. He turned down the proposal for a joint Governor-General and said he himself would become the Governor-General of Pakistan. This change of attitude of Jinnah made Mountbatten friendly to us.”

The actual partition and fixation of boundary had to come later. Jinnah believed that he had successfully befooled Mountbatten but in this trickery he lost some areas of Gurdaspur and Ferozepore which were sure to be included in Pakistan. There was conviction that the announcement of the Award by Radcliffe had to be delayed by two days as last minute changes had to be made on the intervention of Mountbatten. And this was real Jinnah, in whom, Sardar Gurmit Singh pleads, Master Tara Singh should have placed complete reliance without satisfying himself as to his bonafides. Could this eminent leader and his successors-in-interest, in view of the prevailing past history and the atmosphere of distrust be implicitly and obediently confided in for doing justice to us after once they had got into the saddle?

The attitude of the British officers in India, just before partition, is also clear from the letter of Krishna Menon to Nehru from Simla, which ended with the warning: “Please don’t send letters except by bag and don’t sign political cables. The League gets everything.” Durga Das writes in the same hook on p. 246 “While reconciled to the transfer of power, many Britons in India were keen on salvaging whatever they could from the wreck of the Empire. They genuinely felt that Pakistan would give them a foothold on the sub-continent and support British presence in the Near and Middle East.”

During Pre-partition & Post-partition Negotiations

Did Sikh leadership Fail 7 - VII

The role of Sikh leadership during the crucial years of negotiations for transfer of power from British hands has been subject of many comments, both favourable and adverse, in recent months. This was a sequel to the publication in this journal of a series of articles by Sardar Hukam Singh, former Lok Sabha Speaker and Rajasthan Governor.

Sardar Ujjal Singh has been associated with the negotiations with the British since 1920's. He had attended the two Round Table Conferences held in London. In 1946, he was a member of the Constituent Assembly which drew up the Constitution of free India. He was Parliamentary Secretary in Sir Sikandar Hyat Khan's Ministry before the Second World War. After Indian Independence, he was twice member of the Punjab Cabinet under Mr. Bhim Sen Sachar. Recently he retired as Tamil Nadu Governor.

In a letter to the Spokesman Weekly, Sardar Ujjal Singh has denied the allegation that all Sikh leaders were running after pelf and power and none cared to look after the Sikh interests selflessly.

He claims that he, along with others, did his best, in his own way, to fight for Sikh interests. He says:

"I have been thinking but hesitating to enter into controversy 'On the Failure of Sikh Leadership in 1947' published in the Spokesman in a series of articles. I was, however, pained to read the findings of Sardar Gurmeet Singh of Sirsa that "in fact, all Sikh leaders were out to race for office and none cared to look after the Sikh interests selflessly."

"I was privileged to be associated with all the efforts and representations made from time to time to protect the Sikh political interests since 1920 when the Chief Khalsa Diwan sent a deputation to the U.K. to press the case of the Sikhs before the joint Parliamentary Committee.

"Leaving alone the intervening period in 1946, Giani Kartar Singh Sardar Harnam Singh Advocate and myself were elected to the Constituent Assembly of India. Giani Kartar Singh and myself were later elected members of the Minorities Sub-Committee.

"Without going into the detailed discussions at various Committee meetings, I only wish to give below a copy of the letter which was addressed to the Chairman of the Minorities Sub-Committee. From this readers can judge whether any of us neglected the Sikh case for self-interest.

"I need not go into the stages of the fight put up for protecting Sikh interests as the matter has ably been dealt with, in detail, by Sardar Hukam Singh, in a series of articles. It should not, however, be forgotten that Sikhs have always been having a national outlook along with their anxiety to protect the legitimate rights of the Sikhs."

Letter to Minorities Sub-Committee

Below is the copy of the letter sent by Sardar Ujjal Singh on July 28, 1947 to the Chairman, Minorities Sub-Committee, Indian Constituent Assembly. New Delhi;

Sir,

I wish to record my dissent on the decisions taken by your Committee in regard to certain matters.

1. Representation in legislatures, Joint vs Separate Electorates and Weightage:

i) The Sub-Committee has decided that minority candidate standing for election for the reserved seat should poll a minimum number of votes of his own community before he is declared elected. No minimum percentage, however, has been fixed; I am of the opinion that no candidate of a minority community should be declared successful unless he secures the prescribed minimum of 30% of the total votes polled by his own community.

ii) The Sub-Committee has decided that no weightage be given to any minority in Groups Band C in which the Sikhs are included.

The Sikhs have enjoyed weightage since the Montford Reforms both in the Punjab and N.W.F.P. Legislative Assemblies and also in the Central Legislature. Their special importance and position in the Punjab has always been admitted.

The Congress, by its resolution of December 1929 at Lahore, gave an assurance to the Sikhs that no solution of the communal problem will be acceptable to the Congress which will not give satisfaction to the Sikh community.

At the Allahabad Unity Conference held in 1932 in which all communities and political parties were represented, it was agreed that the Sikhs should have 20% representation in the Punjab against their population of about 12% and nearly 5% (14 out of 300 seats) in the Central Legislature.

The Sapru Committee also recommended similar weightage for the Sikhs in the Centre, although it did not formulate any proposal for the provincial legislatures.

Sir Stafford Cripps and the Secretary of State for India, in their speeches in British Parliament in July, 1946 clearly stated that a strong position should be given to the Sikhs in the Punjab and N.W.F.P.

The working Committee of the Congress in its resolution in August, 1946 also assured that they will fully safeguard the interests of the Sikh community.

In view of these assurances, it is disappointing to find that the claim for weightage, by which the strong position of the Sikhs can be maintained in the Punjab, has been turned down by a majority decision of the Sub-Committee. The Sikhs have been very hard hit by the partition of the Punjab as a result of the establishment of Pakistan and it is only just and proper that weightage in the Provincial legislature and Executive of the East Punjab as well as in the Union Centre should be provided for them.

iii) Seats should also be reserved for the Sikhs in other provinces like U.P., Delhi, West Bengal, C.P. and Berar and Bihar where their population ranges between 14,000 and 2^{1/2} lakhs.

2. Seats should be reserved for the Sikhs in the Cabinet of the Punjab and the Union Centre.

3. Reservation in the Services: The Committee has decided by a narrow majority that there should be no reservation for Sikhs in the case of posts for which competitive examinations are held. This decision will adversely affect the Sikhs. In the Government of India Resolution of 1934 The Sikhs, along-with Anglo Indians, Parsis and Indian Christians, have got reserved for them $8\frac{1}{20}\%$ of the posts under the Government of India. If Anglo-Indians, Parsis and Indian Christians do not want any reservations for posts for which competitive examinations are held, the Sikhs must have their share reserved out of this $8\frac{1}{20}\%$ split up on population proportion between the four small minorities.

In the recruitment of services by the Punjab Government, existing rules provide 20% representation for the Sikhs in all services against their population of 13%. The East Punjab Government should be directed to frame rules on similar lines for the recruitment of Sikhs.

As for the recruitment to the Army Services, regard should be had of the past association and splendid record of the Sikh community in Defence Services.

28. 7. 47

Sd/-Ujjal Singh

(Spokesman 11th June, 1973)

The Sikh Leadership-VIII

Sir, I am glad that Sardar Ujjal Singh has explained some facts regarding his role in constitutional deliberations.

As I had stated in one of my previous letters, my object in writing on this subject was only to solicit facts from those who were involved in these events and I am happy that I have succeeded in this object. I am not a politician and have no personal axe to grind and I simply want the community to examine the past critically and chalk out future strategy keeping in view the lessons derived there from. I will, therefore, request Sardar Ujjal Singh to write a series of articles on the subject so that they may form part of Sikh history.

I will be glad to write whatever little I know to enable Sardar Sahib to answer the criticism that is made about his role.

At the Second Round Table Conference, on behalf of the Sikhs, Sardar Ujjal Singh had reiterated the offer to accept joint electorates but at the same time he had emphasized that if separate representation was conceded to any community, particularly the Muslims, the Sikhs would insist on getting it as well.

(See A History of the Sikhs By Khushwant Singh- Page 230).

As I have repeatedly asserted in my previous letters, the Sikh demands failed to get a serious consideration because these gave the appearance of a move to counter the Muslim demand and not as a safeguard for the Sikh rights.

Sardar Ujjal Singh was the chief exponent of Sikh views on constitutional matters and also a prominent member of the Chief Khalsa Diwan. In 1927, when Simon Commission visited India to review the working of the Government of India Act of 1919, Sardar Ujjal Singh was Secretary of the committee nominated by the Punjab Legislative Council to furnish evidence to the Commission. On behalf of the Chief Khalsa Diwan, a memorandum on Sikh representation was presented which read:

“While anxious to maintain their individuality, as a separate community, they (the Sikhs) are always ready to co-operate with their sister communities for the development of a united nation. They would, therefore, be the first to welcome a declaration that no consideration of caste or religion shall affect the matter of organisation of a national Government in the country. They are prepared to stand on merit alone, provided they, in common with others, are permitted to grow unhampered by any impediments, in way of reservation for any other community.”

(A History of the Sikhs by Khushwant Singh - Page: 226-27).

By pleading for joint electorates, the Sikh leadership was betraying its declared object of maintaining their individuality as a separate community. I am too small a fry to comment on this approach, but Dr. Ambedkar's comments on the subject are quite revealing. He wrote:

“The objection to separate electorate raised by the Hindus is that separate electorate means the fragmentation of the nation. The reply is obvious. First of all, there is no nation of Indians in the real sense of the word. The nation does not exist, it is to be created; and I think it

will be admitted that the suppression of a distinct and separate community is not the method of creating a nation.

... The real objection to separate electorates by the Hindus is different from this ostensible objection raised in the name of a nation. The real objection is that separate electorate does not permit the Hindus to capture the seats reserved for the untouchables; on the other hand, joint electorate does.

“If there is a separate electorate for the untouchable, they would be in a position to elect a man in whom they had complete confidence and who would be independent to fight the battle of the untouchables on the floor of the Legislature against the representatives of the Hindus. If, on the other band, there is a joint electorate, the representatives of the untouchables would only be a nominal representative, and not a real representative, for no untouchable, who did not agree to be a nominee of the Hindus and a tool in their hands, could be elected in a joint electorate in which the untouchable voter was outnumbered in a ratio of 1 to 24 or in some cases 1 to 49.

“The joint electorate is from the point of the Hindus, to use a familiar phrase, a “rotten borough” in which the Hindus get the right to nominate an untouchable to sit nominally as a representative of the Untouchables but really as a tool of the Hindus.”

(Mr. Gandhi and the Emancipation of the Untouchables by B.R. Ambedkar - Pages 26-28).

Sikh representatives, having sunk the separate identity of the community in the trap of nationalism laid by the Hindus, could not get any safeguards for their people.

If the representation referred to by Sardar Ujjal Singh in his article was rejected by the minorities Committee, it was because proper foundation for it had not been laid by him in the Round Table Conferences.

I will write in detail on the subject in my next letter if so permitted by you.

Sirsa (Hissar)

Gurmit Singh
Advocate

(Spokesman 25th Dec, 1973)

Muslim League's Offer of a Sikh State?

Sir, may I request Sardar Hukam Singh to throw some light on a topic which remains an untold story so far. He must have got some first-hand knowledge of this subject. During Nehru-Fateh Singh talks on March, 1969, Sardar Harbans Singh Gujral had protested to the Prime Minister against some speeches of the Chief Minister, Punjab wherein he had alleged conspiracy between Akalis and Pakistan. According to notes of the talk published by the Akali Dal, "The Prime Minister in reply said that those statements may be sent on to him and that he would look into the matter. Continuing he said that had Sir Stafford Cripps been alive today, he would have told us all what our friends had been doing before the partition of the country. He said that he had in his possession a letter written by Master Tara Singh to Mr. Jinnah which shows what he had been doing. That clearly proves that he negotiated originally both with the British and the leaders of the Muslims regarding the creation of a Sikh State. Harbans Singh Gujral at once stated that whatever else may be the case, he could not believe that the alleged letter could be written by Master Tara Singh in view of what he knew as to what Master Tara Singh had done at that time.

Sardar Harbans Singh then said that he himself had been participating in those matters at the relevant time and that he could tell from his personal knowledge that Tara Singh had turned down various offers from Muslim League for a Sikh State etc. with the request that Sikhs should give up their opposition to Pakistan.

Panditji replied that he was prepared to believe all that and added that the letter referred to by him (P.M.) was not of Master Tara Singh himself, but that of one of his colleagues. Sardar Harbans Singh replied that colleague could be none other than the person who was now a very much trusted member of the Congress Government. (Page 38)

May your readers know the details about this letter and the person who wrote it? How this letter reached Panditji? These unknown chapters of history must be told by those who know about it.

As you seem to have decided to discontinue discussion on this topic. I close my serial with this letter. I thank you for the favour shown to me by providing me enough space in your journal to express my views.

— Gurmit Singh (Advocate) Sirsa (Hissar)

Nehru Report And Akalis

The Indian National Congress had been founded in 1885 by Hume, an Englishman, and by his friends for voicing and ventilating the grievances and views of the Indians on the current problems of the country. This organisation slowly gained strength and demanded a share in power for the native Indians from the foreign rulers. As a result a struggle against the British rulers started and an attempt was made for the first time to inject the spirit of nationalism in the people of India. But even at that stage concept of nationalism was given a narrow meaning. It was founded on the bedrock of common religion, culture and historical tradition and was given a Hindu colour.

In Bengal, Naba Gopal started an association called “National Society” and edited a paper called “National Paper.” The avowed object of the national society was the promotion of unity and national feeling among the Hindus. When objection will be taken to the use of the word “National,” Naba Gopal boldly argued: “Nationalism is based on unity which is brought about by sustained and promoted in different people by different means such as love of liberty among the Greeks, Romans and the English and the Mosaic law among the Jews. The basis of national unity in India is Hindu religion. Hindu nationality embraces all the Hindus of India irrespective of their locality or language. The Hindus are destined to be a religious nation.”

(Quoted in *Three Phases of India's Struggle For Freedom* — By Dr. R.C. Majumdar Page-8)

Congress demanded introduction of democratic principles which, in other words, meant rule of majority. The British policy was to set one religion against another and thus to create a counterpoise to the influence of the educated middle class. Muslims, therefore, demanded and Lord Minto agreed, that the Muslim's position should be estimated, not merely their numerical strength, but in respect to their political importance and the services they had rendered to the empire. Lord Minto expressed the view that any electoral representation in India would be doomed to mischievous failure which aimed at granting a personal enfranchisement regardless of the belief and traditions of the communities comprising the people of the continent.

The result was that majority of the Muslims disassociated themselves from the Congress because they feared that the power when transferred from the British rule would vest in the communal majority — the Hindus. Sir Syed Ahmed Khan sponsored the movement, that the Muslim should play an Independent role and chalk out their own future in the political set up of the country. The reason that he gave for this was that the progressive force amongst the Hindus were communal in outlook and had the interests of only the Hindus majority at heart.

Growth of Muslim communalism had its reaction on the Sikhs. They had not forgotten the atrocities committed on the Sikhs during the Muslim rule in India. This growth of the sectarian movements in the Indian polity increased inter-communal tension and as a result communal riots became frequent.

To find a solution to this problem, All India Congress committee met at Bombay on 15th and 16th May, 1927. A formula was evolved which contemplated “Joint electorates with reservation of seats on the basis of population in the provinces, and provided for reciprocal concessions to minorities, including the Sikhs in Punjab, by mutual agreement, for giving them weighted representation and for maintaining the same proportion in the Central Legislature as

well.

Sikhs felt betrayed. Use of the words “reciprocal concessions and mutual agreement” in the resolution placed them in a disadvantageous position because whereas the Hindus and Muslims respectively formed a majority in some of the provinces and, therefore, were in a position to offer reciprocal concessions, the Sikhs were nowhere in majority and, therefore, were left completely at the mercy of the goodwill of the majority communities. The matter was discussed again at the Madras session of the Congress in December 1927, where Master Tara Singh, who attended the session as an A.I.C.C. member, pleaded the Sikh case and was successful in securing some concessions through a vague amendment of the earlier resolution.

In 1909, when separate electorates were granted to the Muslims by Lord Minto, the then Viceroy, the Chief Khalsa Dewan had made a representation seeking the same concession for the Sikhs. The Lieutenant-Governor of Punjab had supported their representation by recommending in the Punjab the Sikh community is of great importance and it should be considered whether any and what measures are necessary to ensure its adequate representation. But the greatest weakness or Sikh political strategy has been that Sikh leadership has never been consistent and straight-forward in putting forward its demands. In 1927, when Srinivasa Iyengar, President of the Congress, toured Punjab to find a solution to the communal tangle, Sardar Mangal Singh and Master Tara Singh, who placed the Sikh case before him, are alleged to have assured him that the Sikhs would not demand separate electorates if joint electorates were introduced with reservation of seats for minorities. Even the Chief Khalsa Dewan, which was the first to demand separate electorates for the Sikhs in 1909, in its memorandum to the Simon Commission, asserted that:—

“The Sikhs would be the first to welcome a declaration that no considerations of caste or religion shall affect organisation of a national government in the country. They are prepared to stand on merit alone provided they, in common with others, are permitted to grow unhampered without any impediment by way of reservation for any other community.”

Again, on 19th September, 1928, a meeting of the Sikh representatives held at Shaheed Missionary College Amritsar, to discuss the Nehru Report, passed a resolution to the effect that it was wrong to say that the Sikhs did not want separate representation. The Sikhs wanted communal representation to be done away with, “but if separate representation is to be allowed to Muslims and non-Muslim minorities in other provinces, separate representation should be allowed to the Sikhs too, who formed an important minority in Punjab, as admitted by the Nehru Committee.”

Some Sikh leaders rightly criticized this resolution by calling it inconsistent. Sardar Sardul Singh Cavisher, pointed it out by saying that communal representation was either good or bad. If it was good, the Sikhs should demand it on its merit, but if they regarded it as an evil and if the Nehru Committee had not been successful in abolishing it in other provinces, it passed one’s understanding how any reasonable man could press for its introduction even in those provinces where it had been done away with. In fact this inconsistency in the Sikh approach and the feeble voice with which they put forward their demand were the main reasons for the failure of Sikh Leadership to get any safeguards for the Sikh community. Sikh leaders had walked out of the all party convention called to consider the Nehru Report by alleging “that those who talk the loudest and agitate the most are listened to, however, iniquitous their demand may be,” but they had failed to learn any lesson and always made the demand with a feeble voice. Sikh’s claim for special safeguards in Punjab had been recognised in the Montague-Chelmsford Report in 1919 which stated “the Sikhs in the Punjab are distinct and important people; they supply a gallant and

valuable element to the Indian Army; but they are every where in minority and experience had shown that they go virtually un-represented. To the Sikhs, therefore, and to them alone we propose to extend the system already adopted in the case of Mohammadans..." But during discussion on this report in the Punjab Council, it was opposed by both Hindu and Muslim members. Sikh leadership failed to retain and assert their independent entity and practically made the Sikhs an appendage of the Congress. In November 1927, when Lord Irwin announced the appointment of the Simon Commission under Section 84 of the Government of India Act 1919, which provided for a decennial review of the political situation in India, all parties Sikh Conference held on 30th January, 1928 at Amritsar, at the instigation of the Congress decided to boycott the Commission. Akali leaders under the influence of the Congress failed to pay any heed to the advice of prominent Sikhs including a few members of the Punjab Legislative Council headed by Sir Jogindera Singh that the appointment of the Commission was a matter of great importance to small communities who could get their rights ensured. This was the stage when the constitutional structure was still a melting pot and was to be reshaped with a view to specially safeguard the rights of the minorities. Sikh leaders should have known that increase of a few seats for them in the provincial legislature provided no permanent solution because in spite of this increased representation they were to remain a hopeless minority in the legislature dependent upon the mercy of Hindu members to get any legislation passed. The only possible strategy was to press for redistribution of the boundaries of Punjab in such a manner that Sikhs could become the largest single community in the reorganised province, may be through a planned migration of population on economic grounds. But Sikh leaders, although realising this situation, were so demoralised that they considered it to be an impossibility not realising that there is no such word in the political game. The partition of Bengal in to two, to create a majority area for the Muslims in 1905, should have given a hint to the Sikh leadership to make such a demand. Lord Curzon, the then Viceroy of India, had publicly told a gathering of the Muslims in Ahsan Manzil, the palace of Nawab of Dacca "I am giving you a Muslim province." If the Sikh strategy had been given a lead on these lines at the initial stage when Simon Commission was reviewing the Constitutional set up, it might have eventually resulted in the creation of a province where the Sikhs might have felt the glow of freedom. But this required assertion of independent identity of the Sikhs and keeping at equal distance from both the Hindus and the Muslims, which the Sikh leaders failed to follow. The Simon Commission was not averse to such a redistribution of provincial territories, is evident from the views expressed by it as follows:—

"The existing provincial boundaries in more than one case embrace areas and people of no natural affinity and sometimes separate those who might under a different scheme, be more naturally united. There are, however, grave administrative and financial difficulties of a very complex nature in the way of redistribution. If those, who speak the same language, from a compact and self-contained area, so situated and endowed as to be able to support its existence as a separate province, there is no doubt that the use of common speech is a strong and natural basis for provincial individuality. But race, religion, economic interest, geographical contiguity, a due balance between country and town and between the coast line and interior are also relevant factors."

From the above quotation it is clear that the truncated Punjabi Suba which the Akali Leadership got in 1966 could have been achieved three decades earlier if proper strategy in formulating the demand had been adopted.

National Flag And The Sikhs

India is a multi-national sub-continent with people of several racial nationalities as its citizens. India is and has always been a multinational federation. The salvation of India lies in developing a synthesis of divergent cultures. To our ancestors India as a country had no meaning and no existence : The conception of India, as a whole, was to be found only in the literary works of a past age and survived only in theory but it had no application to actual politics.

Even as late as the 19th century, classic writers of Punjab such as Shah Mohammed and Waris Shah treated India and Punjab as two independent entities. To quote a few examples:

*“Maheen Jed Na Kise De Hown Jere,
Raj Hind Punjab Na Brabri We”*

(Waras Shah)

Similarly Shah Mohammed calls the Anglo-Sikh war as war as between India and Punjab.

*“Jang Hind Punjab Da Hon Laga
Dowen Patshahi Faujan Bharian Ne.”*

(Shah Mohammed)

Indian nationalism is founded not on the bedrock of a synthesis of various Indian religions, cultures and historical traditions as it ought to be but is rather of Hindu character which it has retained, consciously or unconsciously ever since. Whenever any other nationality or community tried to secure their independent image to safeguard their very existence they have been shunned as communal and fanatic, “Hinduisation and Nationalism” are treated as synonyms. Naba Gopal editor of National paper and founder of National Society writes in his paper that the Hindus certainly formed a nation by themselves. He supported his theory by the following argument:-

“Nationalism is based on unity which is brought about, sustained and promoted in different people by different means such as love of liberty among the Greeks, Romans and the English and the Mosaic law among the Jews. The basis of national unity in India is Hindu religion. Hindu nationality embraces all the Hindus of India irrespective of their locality or language. The Hindus are destined to be a religious nation.”

(Quoted in *Three Phases of India's Struggle For Freedom* by Dr. R.C. Mazumdar P-8)

Hindus being majority community soon flooded the Congress ranks because they found in its demand for introduction of democratic principles an opportunity to rule over the country because ultimately democracy meant the rule of majority. Hindu Congress leaders organising anti-British movements concentrated more on appealing to the communal sentiments of the people rather than rousing national enthusiasm. Leaders like B.G. Tilak organised ‘Ganesh Festival’ and ‘Shivaji Festival’ and tried to infuse religious fervour among the Hindus. The result was that the religious pride was made to precede the national pride and Congress leaders appeared to be active protagonists of Hindu revivalism.

The Muslim masses became apprehensive by the strong Hindu religious flavour of Congress propaganda. They felt that these Hindu Congress leaders were trying to identify the

national awaking with revival of Hinduism. Their apprehensions were strengthened by Gandhi ji's conduct. Even when appealing to masses, he didn't speak as a national leader addressing all sections but as a Hindu leader. The Hindus were "We" others were "they."

Gandhi ji's conduct did not inspire confidence among the Sikhs who continued to express their apprehensions from time to time. To remove their apprehensions, Gandhi addressing a Sikh congregation at Gurdwara Sis Ganj Delhi declared:—

"I venture to suggest that the non-violence creed of the Congress is the surest guarantee of good faith and our Sikh friends have no reason to fear that it would betray them. For the moment it did so, the Congress would not only thereby seal its own doom but that of this country too. Moreover, the Sikhs are a brave people. They know how to safeguard their rights by the exercise of arms if it should ever come to that."

"Sardar Madhusudan Singh in his speech has asked for an assurance that Congress would do nothing that might alienate the sympathies of the Sikhs from the Congress. Well, the Congress in its Lahore session passed a resolution that it would not endorse any settlement with regard to the minority question that failed to satisfy any of the minorities concerned. What further assurance can the Congress give you to set you at ease, I really fail to understand."

"I ask you to accept my word and the resolution of the Congress that it will not betray a single individual, much less a community. If it ever thinks of doing so, it will only hasten to own doom. No nation determined to immolate itself at the altar of freedom can be guilty of breach of faith. My life has been an open book. I have no secrets and I encourage no secrets. I pray you, therefore, to unbosom yourselves of all your doubts and apprehensions and shall try to meet you as best as I can. What more shall I say? What more can I say than this? Let God be witness of the bond that binds me and the Congress with you."

But did Gandhiji keep his word? No. He was never sincere even to his own party much less to the Sikhs. At the Lahore Congress at the end of 1929, resolution for "Puran Swaraj" i.e. complete independence, was adopted at the suggestion of Baba Kharak Singh, the veteran Sikh leader, under the guidance of Gandhi ji and it was resolved to launch civil disobedience movement for its attainment.

But Gandhiji was not sincere in his demand for 'Puran Swaraj' i.e. complete independence. Immediately after the Lahore session, he published a statement through the New York World of January 9, 1930, saying, "The independence resolution need frighten no-body!" On January 30, 1930 through his paper Young India, he made an offer of eleven points covering various reforms — rupee ratio of 15 - 4d, total prohibition, reduction of land revenue and military expenditure, protective tariff on foreign cloth, abolition of salt tax, etc. In return for which he offered to call off the civil disobedience movement. Was it not an attempt to hoodwink the masses who had responded to the Congress call and was it not the betrayal of the defined aim of the campaign?

But Gandhi ji was never in favour of the demand although due to pressure of public opinion he had to voice it. The flowery talk and sweet of reasonableness towards the Sikhs shown during the Lahore Session of the Congress was all an outwardly show of the Hindu leadership meant to befool them, Sikhs were taken in by Gandhian tricks and failed to clearly understand the real intentions of the Hindu leaders. Accordingly, Master Tara Singh assured an All Parties Conference held at Lahore that the Sikhs would not lag behind in the struggle.

There is a very common Punjabi proverb about the dealings of a Muslim and Hindu which is very current in Punjab. It reads:

Mussalman kuchh khud da khouf khanda hai,
par Hindu da tan koi deen iman hai he nahin;
os no ten ya be-imani ter he asra hain”

i.e. Muslim has some fear of God and tries to fulfill his commitments; Hindu has no such fear, he lives by hypocrisy and deceit.

This was very true of the Congress leadership. The Viceroy, Lord Linlithgow and Lord Wavell, who had chance to deal with them, testified and have written about Mahatma Gandhi as “polite but cunning and ready to go back on any commitment.”

So, these Congress leaders soon forgot the solemn assurance given to the Sikhs. When the question of deciding the National Flag for India came up, the Sikhs were again ignored. Describing the significance of the colours and designs of the proposed flag, Gandhiji had said:

At Bezwada I asked Mr. P. Venkana to give me a design containing a spinning wheel on red (Hindu colour) and green (Muslim colour) background. His enthusiastic spirit enabled me to possess a flag in three hours. It was just a little late for presentation to the All India Congress Committee. I am glad it was so. On maturer consideration I saw that the background should represent the other religions also. Hindu-Muslim unity is not an exclusive term. It is an inclusive term, symbolic of the unity of all faiths domiciled in India. If Hindus and Muslims can tolerate each other they are together bound to tolerate all other faiths. The unity is not a menace to the other faiths represented in India or to the world. So I suggested that the background should be white and green and red. The white portion is intended to represent all other faiths. The weakest numerically occupy the first place, the Islamic colour comes next, the Hindu colour, red, comes last, the idea being that the strongest should act as shield to the weakest. The white colour, moreover, represents purity and peace. Our national flag must mean that or nothing. And to represent the equality of the least of us with the best, an equal part is assigned to all the three colours in the design.

Sikhs demanded that they being the third major party to the struggle for India's freedom, should be given specific representation on the national flag. Baba Kharak Singh refused to participate in the disobedience movement launched by the Congress unless the Sikh colour was included in the national flag. Gandhiji, instead of exercising his influence to get the Sikhs their due representation on the national flag tried to pacify the Sikhs with false promises and lame excuses. He tried to cool them off by suggesting that time was not ripe for such a confrontation. He said:—

“...Then there is the controversy about the inclusion of the Sikh colour in the national. No blame can possibly attach to the Congress in this respect. The present design was suggested by me. The Congress has not even formally adopted it. I had offered to the Sikh friends to place before the All India Congress Committee their view point if they could apprise me of it. But as it turned out, the A.I.C.C. could not meet after that and no one knows as to when it will be able to meet at all. Even the working committee is out today on sufferance. To raise this controversy at this time, When the Congress is fighting for its existence, would be to say the least, an unseemly act.”

Sikhs were again taken in by this sweet talk. On 9 March, 1930 the Shiromani Akali Dal offered 5,000 volunteers for the civil disobedience movement. It called upon all Sikhs to do their

duty and muster strong as true and valiant soldiers under the leadership of Mahatma Gandhi without being mindful of the fact that the Sikh colour had not been included in the national flag in spite of Gandhi ji's assurance. When in the heat of civil disobedience movement shooting took place in the North West Frontier Province, Master Tara Singh declared:—

“The Sikhs, in sympathy with their tyrannised countrymen, will shed their blood at the some place where the Pathans have shed it. It is said that the Sikhs and Pathans are each other's enemies. That is absolutely wrong. The Sikhs and Pathans are sons of the same Motherland, and if any such impression prevails that they are enemies, the Sikhs will wash it off by mingling their blood with that of the Pathans. The Sikhs must, therefore, go to their rescue and lay down their lives and do their duty honourably as enjoined upon them by their Gurus.”

Accordingly, Master Tara Singh led a Jatha of one hundred Akalis, each fully determined to lay down his life for going to Peshawar. But Master Tara Singh was arrested while the Jatha was still at Lahore. The remaining Jatha was stopped by the police at Dina near Jhelum and mercilessly lathi-charged till every member became unconscious.

It was here that Master Tara Singh lured by the false promises of the Congress leaders, gave a wrong lead to the Sikh Community. Baba Kharak Singh was then the S.G.P.C. President of which Master Tara Singh was only the Vice President. Baba Kharak Singh had vehemently opposed the idea of Sikhs joining the civil disobedience movement launched by the Congress until the Sikh demand for due representation in the national flag was conceded. It was a crucial demand because it meant the recognition of Sikhs as a third major party for negotiating with the British for transference of power, First Round Table Conference had been called in London. It was likely to take crucial decisions. If the Sikhs had refused to cooperate with the Congress in its civil disobedience movement and asserted their separate identity they would have won the confidence of British as well as Muslims and might have secured something for the community. A group of pro-government Sikhs, who had formed a Central Sikh Association had advised the Akali leadership that they should abstain from joining the Congress programme of civil disobedience and to wait till the Round Table Conference had been held in London but the Akali leaders, under the leadership of Master Tara Singh paid no heed to such advice and made their organisation an appendage of the Congress.

To put off the Sikh demand for specific representation 'Gandhi ji referred the question of national flag to the A.I.C.C. for suggesting alterations in it, to meet the objections from the Sikh community. Gandhi ji on April 8, 1931, speaking at Amritsar, said:—

“Take my attitude on the national flag question. The national flag is my own personal creation. It has been before the country for two years, a lot of sentiment has gathered round it, much sacrifice and suffering has been gone through to keep it flying. Do you think it is a pleasure to me to agree to its being altered? But I know that you are dissatisfied and if only to please your community I agreed to have a committee about the flag.”

But again a hoax was played upon the Sikhs. Instead of giving them due representation on the national flag, just a new interpretation was put forward to silence the Sikhs. On August 7, 1931, A.I.C.C. confirmed the following change in the national flag:

“The flag is to be three coloured,
horizontally arranged as before,

but the colours shall be saffron,
white and green in the order
stated here from top to bottom
with the spinning wheel in dark
blue in the centre of the
white strip; it being understood
that the colours have no communal significance
but that saffron represents courage and
sacrifice, white, peace and truth, and green
shall represent faith and chivalry and the
spinning wheel the hope of the masses”

Punjab Congress Committee recommended to Pandit Jawahar Lal Nehru that the Sikh colour be incorporated in the national flag as there had been a good deal of agitation amongst the Sikhs on the point with the result that a certain section of the community was keeping aloof from the national movement. Nehru refused to accept this recommendation by replying that the Congress had adopted the national flag by a resolution, and that practice and convention had made the party flag the national flag.

Baba Kharak Singh, the veteran Sikh leader, whose election as President of Punjab Congress in 1921 Gandhi ji had hailed as honour to the Congress and an excellent choice and whom Pandit Jawahar Lal Nehru had described as “the bravest among the captains of our struggle for freedom” refused to accept the flag as such and declared his intention to start a campaign to get proper representation for the Sikhs. Gandhi ji was so upset that he lost his mental balance and completely forgot the sacrifices made by Baba Kharak Singh. He said:—

“The flag controversy is being conducted mostly by those who have held aloof from the present movement.”

He tried to satisfy the Sikhs by sheer sweet talking. He said:—

“The Sikhs have given their loyal and unstinted cooperation to the Congress in many parts of India like Bombay, Delhi etc. But these brave people have never bothered themselves about the flag question. A brave man always gives credit to the other party for its bonafides. Why don't you have faith? If the Congress should play false afterwards, you can well settle scores with it, for you hold the sword. I ask you, therefore, to cast out suspicion and distrust from your mind and plunge into this sacred yajna of freedom whole-heartedly. You will find that when you are ready to make the extreme sacrifice you will disdain to ask for guarantees. It will be for others to look up to you as the champions of their rights as it will be for you to fulfill their expectations.”

Sikhs were again taken in by the flowery and sweet talk. A rift among the Sikh leaders developed on the flag controversy. At a meeting of the executive committee of the Akali Dal in November 1930, the committee rejected, by nine votes to seven, the resolution of Baba Kharak Singh that the Sikhs should refuse to cooperate with the Congress until it included the Sikh colour in the national flag. At this Teja Singh, vice-president, Waryam Singh and Bhag Singh resigned from the Akali Dal. With this the demand for due representation on the flag died down. Congress leadership with its vast resources, through press and public platform projected Master Tara Singh and his associates as the great nationalist leaders, real champions of the Sikh cause. As a result Baba Kharak Singh, the real crusader for the Sikh cause rapidly lost ground. With this died the

spirit of the Sikh masses to assert their identity. Akali Dal became a wing of the Congress and lost its bargaining power with the British and the Muslims.

Baba Kharak Singh perhaps adopted a wrong strategy. If instead of demanding representation on the so-called national flag proposed by the Congress he had designed and popularised a separate Sikh national flag, it would have helped to develop consciousness amongst the Sikhs of their identity as a separate nation.

Similarly, after independence when the opinion of states was sought through governors on the question of selecting National Anthem for India, none of the Sikh leaders advanced the claim of 'Deh Shiva Var Mohe Eh' i.e. the Sikh national anthem for India's adoption as national anthem of India or at least as national song of India. West Bengal demanded 'Vande Mataram' because of its Hindu character and it was adopted as national song. But Sikh Leadership has been always guilty of sinful silence on crucial issues.

Minority Problem in India

Etymologically, the word “minority” is a compound of two Latin words “minor” and the suffix “ity” which means *infer alia* “the smaller in number of two, aggregates that together constitute a whole.”

But even this definition in its implementation many difficulties. The Supreme Court of India, deciding the reference made to it by the President on point of the constitutional validity of the Kerala Education Bill (1957), opined that a minority community means a Community which is numerically less than 50 percent. The Supreme Court observed in its judgment reported in A. I. R. 1958 S. C. 956 (976):

..As soon as we reach Art. 30(1) learned counsel for the State of Kerala at once poses the question. What is a minority? That is a term which is not defined in Constitution. It is easy to say that a minority community means a community which is numerically less than 50 percent, but then the question is not fully answered for part of the question has yet to be answered namely — 50 percent of what? Is it 50 percent of the entire population of India or 50 percent of the population of a state forming a part of the Union?

The position taken by the state of Kerala in its statement of case filed herein is as follows:—

“There is yet another aspect of the question that calls for consideration, namely as to what is a minority. It is not doubt true that Christians are a not a mathematical majority in the whole state. They constitute about one fourth of the population, but it does not follow from that they form a minority within the meaning of Article 30(1). The argument that they do, if pushed to its logical conclusion, would mean that any section of people forming under fifty per cent of the population should be classified as a minority and be dealt with as such...The state of Kerala, therefore, that in order to constitute a minority which may claim the fundamental rights guaranteed to minorities by Article 29 (I) and 30 (I) persons must numerically be a minority in a particular region in which the educational institution in question is intended to be situated.”

“A little reflection will at once show that this is not a satisfactory test. Where is the line to be drawn and which is the unit which will have to be taken? Are we to take as our unit a district or a sub-division or a taluk or a town or its suburbs or a municipality or its wards?”

The Supreme Court, therefore, laid down the test that the population must be counted in the area to which the enactment extends. It means that when a bill is passed by a state legislature which extends to the whole of the State, the minority must be determined by reference to the entire population of the state and in case of an enactment passed by the Parliament, the minority must be determined by reference to the entire population of India.

But even this interpretation is full of many flaws and biased majority may easily deprive the minority of its fundamental rights guaranteed under the Constitution by limiting the applicability of the enactment to those districts of the state where a minority population is concentrated by providing some so-called rational classification. Further, the benefits available to the minorities under the Indian Constitution, have been extended to the Hindus, the majority community by

treating its sub sects such as Arya Samajists (A.I.R. 1958 Pat 359) and Brahmo Samajists A.I.R. 1963 Pat 54) to be a minority.

But certain countries have exploited the concentration of the minority community in a particular area to extend special benefits to the minority community. For example, the Constitution of Sri Lanka provided for multi-member constituencies to enable any substantial concentration of citizens who are united by a community of racial interest different from that of the majority of citizens of Lanka in that province to obtain representation in the state assembly.

Soviet Russia provides exemplary safeguards for minorities concentrated in a particular region. *Its federal structure is founded on the principle of nationality rather than that geography.* For various nationalities the country has been sub divided into its 15 union republics. Even within the union republics, there are further sub-divisions for sub-nationalities, namely republics, autonomous regions and national areas. All these minorities, the nationalities and sub-nationalities in the country, thereby get representation in the upper house of the Parliament known as Soviet of nationalities which is equivalent to American Senate.

There are 25 deputies for each union republic even for each autonomous republic, five for such autonomous regions and one for each national area. The union republics have the constitutional right to organize their own armies. They too conduct their own foreign policy, carrying on direct relations with Foreign States, exchanging diplomatic and consular representatives and making treaties. The union republics have the right to secede from the union and on that account Ukraine and Byelorussia have separate representation in the United Nations.

There are some other definitions of “minority” which need deliberations. Encyclopedia Britannica defines it as groups held together by ties of common descent, language or religious faith and feeling themselves different in these respects from the majority of the inhabitants of a given political entity.”

Similarly, United Nations Sub-commission on Prevention of Discrimination and Protection of Minorities defined the “minorities” thus: “The term minority includes only those non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population.”

In this definition, the words “markedly different” and “wish to preserve” deserve special attention in as much as, according to this definition, Arya Samajists, Brahmo Samajists and perhaps even Buddhists and Jains in India can’t claim minority status while the Sikhs and the Muslims can.

The minorities must be conscious of their distinct entity *vis-à-vis* the majority population and must be determined to resist any attempt at assimilation with dominant groups.

The Sikh’s demand for a separate personal law must be seen in this perspective because their governance by Hindu Law is increasingly Hinduising their way of life and, as a result, the Sikhs may lose even the status of a minority in the eyes of international community.

Minorities enjoy some special safeguards under the U.N.O. and even because of international treaties and declaration relating to the minorities. In India according to Dr. B.R. Ambedkar, the majority is not a political majority. In India the majority is born; it is not made.

That is the difference between a communal majority and a political majority. A political majority is not a fixed or a permanent majority. It is a majority which is always made, unmade and remade. A communal majority is a permanent majority fixed in its attitude. One can destroy it, but one can't transform it. If there is so much to a political majority, how very fatal must be the objection to a communal majority.

Hence, after independence there has been a calculated move on part of some people to destroy the minority status in the country. The first attempt in this regard was the amendment moved by Mr. T. T. Krishnamachari on 16th November, 1940, to the Draft Constitution which provided: In part XVI of the Constitution for the word 'minorities' wherever it occurs, the words certain classes be substituted. Unfortunately, this amendment was adopted unanimously and even without any discussion, perhaps because the representatives of the minorities felt themselves demoralised in the hostile environment created by a few leaders of the majority community.

To abolish the privileges of minorities a regular campaign is being carried out by some people under the cover of concepts such as democracy and secularism. To quote Mr. M.C. Chagla from his convocation address at the Osmania University dated 16 January, 1965:

"The expression minority rights and privileges make no sense in the context of the Constitution in which all Indian citizens enjoyed common rights and privileges. Before partition a certain section of Muslims wanted a separate country where their population would be largely, if not entirely, Muslim. It was suggested by them that Hindus and Muslims constituted two separate nations, that they could never work together, therefore, it was essential that India be divided on a communal basis. India never accepted this false and evil doctrine because if it were accepted, then it would put an end to secularism."

"When we are governed by a Constitution like this," observes Mr. M.C. Chagla, "I can't understand the emphasis on majorities and minorities. The word was coined by the British to divide our country and to make it easier for them to rule over it. Lord Morley, when he found the nationalists, getting strong, in a famous passage said, 'Rally the minorities.'"

"Our former rulers devised a Machiavellian machinery of separate electorates to divide one citizen from another into a fine art. It ultimately did more harm than good to the minorities. This communal representation in all fields put merit at a discount, made minorities to aspire for posts which they were not fit. It caused natural discontent among the majority community who felt that although they had the necessary merit and qualifications, they were passed over merely because their religion was different from that of the minority communities. It was the natural result of this policy that our country was divided and of partitioned and one nation and one people were split into two."

These remarks of Mr. Chagla clearly show his bias against minority safeguards, and plead for their abolition. He has tried to confuse the whole issue by linking the minority problem with the imperialists' design and partition of the country. Mr. Chagla very well knows that concept of minority privileges is not a contribution of the British but an internationally recognised concept enshrined in the charter of the League of Nations and the U.N.O.

Pandit Jawaharlal Nehru admits it when, in his book "*Discovery of India*" at page 387, while, referring to the incorporation of minority safeguards in the Constitution, he remarked.

"There was no dispute about the usual provision for minority protection, such as the

League of Nations used to lay down. All those were agreed to and much more.”

The above remarks clearly repudiate Mr. Chagla’s contention that minority protections are a legacy from the British. Mr. Chagla, while condemning the separatist tendencies amongst the minorities, forgets that such a tendency constitutes the very life vein of a minority.

The very definition of a minority adopted by the U.N.O. clearly states that “it includes *only* those non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population.” The use of word “only” in the above definition clearly shows that the moment a minority gives up the struggle to retain and preserve its separate identity and agrees to assimilate itself in the main stream, it ceases to be a minority. Kill this consciousness of the distinct entity and minority status in the eyes of international community is lost.

Keeping this strategy in view, a few representatives of the majority community are repeatedly heard saying that the Sikhs are neither a race, nor a nationality, nor a caste, but primarily the followers of a religion with a Hindu background. Governance of Sikhs by the Hindu Law in personal matters and the repeated judicial pronouncements that Sikhs are Hindus must be in the light of this aspect. It may be interesting to point out here that Mr. Chagla was a member of the three-man commission, headed by Mr. S.R. Das, which was appointed by the Government of India in 1961 to inquire into the general question of discrimination against the Sikhs. It was boycotted by the Sikhs on the ground that they have no faith in the personnel constituting the Commission.

One has only to look at the number of Sikh members of Parliament elected from states other than Punjab to realise their plights.

But the fault lies more with the minorities themselves in as much as they have failed to organise themselves on a common platform and to evolve a common charter of demands. Muslims, after the creation of Pakistan, feel demoralised while the Sikhs are afraid of being dubbed as communal. But they must remember that nothing is won without crying. After this year’s election, Maulana Bokhari, Shah Imam of Delhi’s Jama Masjid had planned to bring together the various minorities in India and a minority cell of Janta Party members of Parliament was said to have been formed but it seems to have fizzled out.

Safeguards For Minorities

Sir, I congratulate you and Sardar Hukam Singh for your courage in exposing the discriminatory and communal approach of the Hindu national leaders like Nehru and Patel towards the Sikhs at the time of framing of Indian Constitution, through series of articles published in your journal. Sardar Hukam Singh has rightly pointed out that Sikh claims for special safeguards as a minority were never given a serious consideration and these were rejected under a pre-planned scheme ingeniously carried out. But the fault lies not solely with these Hindu leaders. Sikh leadership failed to build up any pressure of public opinion in support of their demands and the Sikh members of the constituent assembly did not assert their separate identity at the meetings. Instead of making out a special claim for the Sikhs, as Sardar Hukam Singh has very scholarly done now, the Sikh members then themselves linked their demand with the demands of Muslims and Christians although there was no rational ground for doing so. After the creation of Pakistan, which was achieved on the plea that no safeguards can adequately protect the rights of the Muslims, the Muslims left in India may not have needed any further safeguards but this was no ground for refusing these safeguards to the Sikhs who had a claim to the sovereignty of the Punjab. Patel exploited this link and by luring away a few members of the other minority communities defrauded the Sikhs. What happened at the meeting is perhaps correctly recorded by famous journalist Durga Das in his book “*India from Curzon to Nehru and After*” at page 243 where he writes:

“The main delicate issues related to safeguards for minorities. Azad wanted reservations for of seats for the Muslims and other minorities within the framework of general electorates. Patel opposed such safeguards. Nehru left it to Patel to jump the hurdle as Chairman of the Advisory committee on Minorities. Two women members played a key role in this high-strung drama. Amrit Kaur, speaking for the Christians, said that reservations of seats and weightage based on religion or sect would lead to fragmentation of the Indian Union. *The Sikhs demanded the same treatment as given to the Muslims.*

After the committee had wrestled with the problem for Sikhs, Patel decided to clinch the issue at its final meeting. He called on Begum Aizaz Rasul of Lucknow to state the Muslim view. She was a zealous Muslim Leaguer before partition and had even gone to the length of giving up and adopting the costume worn by the Begums of Oudh. The Muslims left behind in India, she said, nervously were an integral part of the nation and needed no safeguards. Patel seized this crucial moment to declare that the Muslims were unanimously in favour of joint electorate and adjourned the meeting.

The cause of all our troubles is that we fight shy of pleading the case of our community in a straight-forward manner lest we should be dubbed as communal. Before partition the demand for Azad Punjab failed to gain popular support because it was presented it as a move to counter the demand for Pakistan. We failed to gain anything during deliberations for transfer of power because our representatives failed to assert the separate identity of the community and simply dittoed the Hindu leaders. Until we give up this strategy of presenting our demands under the cover of secularism we will continue to suffer. We have failed to learn a lesson from our past mistakes. Unless we decide to move out from the ivory tower of secularism in which we are caged, there is no hope for the succeeding generations.

Best Advocacy Would Not Have Made Difference

- Sardar Hukam Singh

The Editor 'Spokesman' has brought to my notice a letter, received from a friend and well-wisher, taking exception to my putting the whole blame on the shoulders of the Government and the Congress leaders for abolition of safeguards which had been embodied in the Draft Constitution adopted by the Constituent Assembly. Our dear friend thinks that the blame must be shared by the representatives of the Sikhs who were then members of the Assembly. According to this friend our members proved incompetent and inefficient.

This criticism is to some extent justified and I welcome that. I concede the representatives, including myself, could have shown better performance. But I repudiate the implication that the results would have been any better in the situation that prevailed then. The Muslim League stalwarts, at least half a dozen of them, were there. These were good fighters, and able parliamentarians. They proposed separate electorates, asked for weightage, moved amendments to the Report of the Advisory Committee, made strong speeches, but only got rebuffs. They were told that their place was in Pakistan, and were advised to move to the land of their dreams. Sardar Patel warned them that he was not prepared to disfigure the Indian Constitution by inducting such poison again.

The Sikhs had also fought at every step, and moved amendments, at proper stages. But when they realised it was fighting a lost battle, these representatives reconciled themselves to securing the inclusion of four Sikh castes among the Scheduled list. It was a case of proverbial drawing comfort from snatching loin cloth of a fleeing thief (*Bhaje jande chor de langoti bee sabee*). It is inconceivable that the powers, that were, could ever have given to the Sikhs what they refused to the Muslims. If Sardar Ujjal Singh and Giani Kartar Singh, members of the Advisory Committee at that time, agreed to give up reservation in legislatures, they must have done that under compulsion of circumstance. Faced with that critical situation, most of our members in the Punjab and Centre tried to retrieve whatever little they could out of the total wreck, i.e. the recognition of four Sikh castes as members of Scheduled Castes. I believe where those representatives failed no one else could have succeeded.

I would here refer to the speeches of Mr. Henderson, the under Secretary of State for India and of Mr. Butler on July 14, 1947, during the debate on the Indian Independence Act, after the former moved an amendment to Clause 4 (The Punjab) regarding the boundary commission. The amendment suggested that the "decisions of the chairman of that commission contained in his report to the Governor General" would be the 'award' of the commission. I had been attending the hearings of this commission at Lahore, and found Mr. Radcliffe conspicuous by his absence in all the proceedings. Ultimately he familiarised himself with the record by personal discussions with other members of the boundary commission. The Sikh member was Justice Teja Singh.

Discussing this Clause 4, and the amendment, the members expressed much concern and solicitude about the future of the Sikhs. Mr. R. A. Butler, who was born in India and had served in this country for many years, said, that "I have noticed that the community (Sikhs) have asked that the boundary be pushed back to the River Chenab", but he immediately added that "Then the division of the Punjab would be made to look ridiculous, from the point of view of Muslims. He

proposed that “the Sikh problem be met by the provision of separate electorates.” But Mr. Butler soon realised that the proposal was not practicable as “I know that if that appeal for (separate electorates for Sikhs) were conceded by to be...” it would have to be conceded to the Muslims as well. With this realisation Mr. Butler, however much sympathetic he was to the Sikhs, had to be content with this wish that “in the demarcation of the boundary all proper regard should be had to the feeling of the Sikh Community, in regard to their shrines, their property and their lands.”

Colonel Gomme-Duncan was more solicitous though equally helpless with R.A. Butler. The Colonel observed that, “It is clear that no actual division of the ground will ever solve the Sikh problem unless there is a United Punjab. As we are not to have a united Punjab, *the Sikh really finds himself sold in every direction.*”

I have brought in these proceedings of the British Parliament, though not relevant here, as I desire to emphasise that there was absolutely no possibility, in the circumstances prevailing, and the spirits permeating, of getting separate electorates or weightage. Safeguards of reservation of seats with freedom to fight general seats was as being acquiesced and provided so long as there was even a distant hope of keeping India united. But when the last ray disappeared, then the attitudes changed, future policies were planned, and clear goal was kept in view. If the Sikhs have not given any indication of large scale absorption, the credit must go to Master Tara Singh. Whatever his failings and however great his mistakes, this must be conceded that he could, by his struggles and morchas, maintain and preserve the spirit of resistance among the Sikhs, without which, in all probability, many would have lost their morale and fallen victim to the heavy pressure ingrained in the policy pursued.

Though I have conceded that the Sikh representatives in the Constituent Assembly and I was one of them, might not have been as brilliant as their critics of today, yet in my opinion even the best advocacy by the most brilliant would not have made any material difference in the results. In fact I deny that there was any default on the part of the members in the Constituent Assembly.

Safeguards And Sikh Leadership

Sir, I thank you and Sardar Hukam Singh of taking due notice of my letter and publishing his detailed reply to it in your esteemed journal and thereby encouraging free and frank discussion. Although no one can call the Sikh members of the Constituent Assembly as “inefficient or incompetent” as Sardar Hukam Singh has inferred from the letter. Yet at the same time I am not prepared to agree with Sardar Hukam Singh’s assertion that there was no default on the part of the Sikh members in the Constituent Assembly.

A small fly like me can dare not enter into debate with a man of Sardar Hukam Singh’s status but I do feel that his articles on the subject under discussion are only one-sided. These articles can serve a really useful purpose if he analytically deals with the performance of all the Sikh leaders and the reasons for our failures. Such a post-mortem will be of great help to the present leadership in framing future policies for the community.

The strategy of “Snatching loin cloth of a fleeing thief” adopted by Giani Kartar Singh and Sardar Ujjal Singh and now approved and defended by Sardar Hukam Singh in his articles, cant be called the best policy under the circumstances. The fact remains that these leaders had lost their morale and the power to resist the communal policies of the Hindu leaders. Instead of building up public opinion in favour of their demands they advised the Sikhs to surrender. In support of my view, I will like to quote from Satya M. Rai’s book “*Partition Of The Punjab*” page 227, where he writes:

“The demands’ however, were not acceptable to the Congress or the Constituent Assembly. Sardar Hukam Singh pleaded the case of the Sikhs in the Constituent Assembly, but Sardar Patel reminded him that the Sikh members had agreed that they would not ask for any further concessions if the Sikh backward classes were given rights equivalent to Scheduled classes and the Constituent Assembly decided that there was to be no reservation for minorities in services except for the backward and Scheduled castes.

“The Sikhs’ however, were mot unanimous in this separatist demand. Even Giani Kartar Singh opposed it by saying that the demand was anti-national and harmful to the Sikhs and, therefore, could not be accommodated in the secular set up of the Indian Republic. Besides, it would still further divide the Sikh population in much worse manner than the partition of the country in 1947 did.”

This clearly shows that Sikh leaders instead of fighting for the rights of the community in a straight-forward manner, had started preaching secularism and to my view this was the greatest weakness of Sikhs strategy.

I agree with Sardar Hukam Singh that Master Tara Singh preserved the spirit among the Sikhs, but at that crucial moment, he too failed to rise to the occasion, may be under the influence of his associate referred to above. In this respect I will just refer to minutes of the meeting between Pandit Nehru and the deputation of Punjab Reconstruction Committee held on 20th Sept. 1947, as reproduced by Durga Das (once Chief Editor of Hindustan Times) in his book – “*India from Curzon To Nehru And After*”, at page 268, where it is written :

“Mr. Durga Das mentioned the problem of Sikhs and said that steps should be taken now to make sure that this problem did not take a serious form later. The Sikhs should be asked to state categorically whether they wished to have a small province of their own in which they would have a majority. If so, the refugees should from now be settled in such a manner as would fulfill this desire of the Sikhs. If they wished to live as citizens of India, it should be made clear to them that they would not have any special privileges, legislative, administrative or by convention. They must sink or swim with the Hindus under a system of joint electorate.

“Pandit Nehru replied that Master Tara Singh had met him the previous day and that he had asked the Sikh leader whether his community wanted Khalistan (a Sikh State). Pandit Nehru said he had never seen Master Tara Singh so crest fallen as on that day. The Sikh leader vehemently protested against any idea of Khalistan and said that the Sikhs, being a very small section of the people of India, would not pick any quarrel with them. They wished to remain citizens of India and live with the Hindus as brothers.”

I can agree with Sardar Hukam Singh that the Sikh members formed a hopeless minority in the Constituent Assembly pitted against a communal Hindu Majority they were helpless to secure any safeguards for the Sikhs but at the same time I feel that this state of helplessness was the creation of Sikh Leadership itself and no one else. Several opportunities knocked at the door but the Sikh Leadership failed to foresee and safeguard against what has happened. Jinnah had warned the Sikh leaders about their inferior status in the Indian Union and offered them autonomous Punjab within Pakistan but unfortunately Sikh leaders rejected it outright and even refused negotiations. To quote from book *‘My Pakistan’* page 90, Jinnah writes:

“I find it difficult to understand why Sikh friends are apprehensive about their future in Pakistan. I submit to them that they should carefully and patiently study the scheme for Pakistan. In the plan suggested by us the Sikhs will be definitely better off than in the federal structure of a United India. There is absolutely no doubt that the Sikhs will be able to play a decisive role in affairs of Punjab. I ask them, will they not have the control of the state assembly in Punjab to pilot the affairs of Punjab which will be an important province of Pakistan? Will they not play an important role in the affairs of Federation of Pakistan being an important vital community? I can well imagine their position in the Indian union. If I am allowed to say I will submit that they will be only a drop in the vast sea. Position is the same for the Sikhs today. Permit me to present the true picture before you. If my Sikh brothers are listening let them take note of it that the Sikhs do not enjoy any material position in present constituent assembly. What can one man do amongst hundreds in the central constituent assembly after independence there will be about 350 members of whom there will be only two or three Sikhs. Tell me, what role will they be able to play? Not only this that you will have absolutely no position in the Central Government of India, rather you will be only a drop in the vast sea.”

For further elaboration of this point, I will like to quote from an article written by Sardar Hardit Singh Malik in *Sunday World* of October 24, 1971, with title *‘My Years As A Fighter Pilot’* where he writes:

“I asked him (Jinnah) to spell out the details. What for instance, would be the proportion of Sikh representation in the cabinet, in the armed forces and in the civil service? He was so anxious to get public approval for his Pakistan idea that he told us to put down all our demands on paper and offered to affix his signature to the document.”

Acceptance of Jinnah’s offer may or may not have been a wise step but this should have

made us realise the need for statutory guarantees from the other party. We should have had no illusions about the value and fate of verbal safeguards, guarantees and weightage talked of by Hindu leaders. We should have visualised that these promises can be violated at will and the Sikhs will be helpless and at the mercy of the communal majority which with its organised resources can always disrupt and disunite the Sikhs and render them incapable of any concerted action.

Sardar Hukam Singh has quoted from speeches in British Parliament in support of his assertion that it was impossible to meet the Sikh aspirations. In this connection, I may submit that the British never gave a serious thought to the Sikh demand lest it may gain strength. Referring to the suggestion made by Mr. Amery to Marquess of Linlithgow in his letter dated 2 Aug., 1942 that the prospectus of meeting Sikh demand may be fully investigated because it is likely to create trouble for the Government in the near future, the latter in his reply dated 5 Sept., 1942 wrote:

“I would not think it wise even to mention it to Glancy. The Hindus have made the mistake of taking Jinnah seriously about Pakistan, and as a result they have given substance to a shadow. Let us be warned by their example and avoid doing the same to a far more preposterous claim! For I am certain that if we did show the very slightest sign to take “Sikhistan” seriously in the least degree, not only should we aggravate communal tension gravely in Punjab, but we should never bear the end of it; and the Sikhs, as communal award discussions in 1931 showed, find themselves occasionally in a position to wreck a scheme which would have gone down perfectly well with the major communities.”

(Transfer of Power-Vol. 2 Page 913)

I will just sum up by reminding the Sikh Leadership of a proverb that “Nothing is born without screaming and blood.” I hope you will publish this letter in your journal to encourage frank discussion on the subject.

— Gurmit Singh (Advocate)
Sirsa (Hissar)

Safeguards Alone Cannot Protect Minority

A constitution, when written does not breathe. It comes to life and begins to grow only when human elements get together and work it. The surest protections for minorities are not those written into constitutions.

In the course of negotiations between the representatives of Ulster and Southern Ireland, Mr. Redmond, the representative of Southern Ireland, in order to bring Ulster in a Home Rule Constitution common to the whole of Ireland, said to the representative of Ulster: "Ask any political safeguards you like and you shall have them." The Ulster man is said to have replied: *"Damn your safeguards; we don't want to be ruled by you on any terms."*

People, who blame the minorities in India, ought to consider what would have happened to the political aspirations of the majority if the Sikh minority had adopted the attitude, at the lime of transfer of power by the British, which Ulster took. Is it nothing that the Sikh minority accepted even the verbal assurances of the Hindu leadership and agreed to be ruled by the majority which has not shown much sense of statesmanship?

Mahatma Gandhi, while dealing with the subject of minority safeguards for the Sikhs, had declared:

"I venture to suggest that the non-violence erred of the Congress is the surest guarantee of good faith, and our Sikh friends have no reason to fear that it would betray them. For, the moment it does so, the Congress would not only thereby seal its own doom but that of the country too. Moreover, the Sikhs are a brave people. They will know how to safeguard their rights by the exercise of arms if it should ever come to that.

"Sardar Madhusudan Singh in his speech has asked for an assurance that the Congress would do nothing that might alienate the sympathies of the Sikhs from the Congress. Well, the Congress, in its Lahore session, passed a resolution that it would not endorse any settlement with regard to the minority question that failed to satisfy any of the minorities concerned. What further assurance can the Congress give you to set you at ease, I really fail to understand.

"I ask you to accept my word and the resolution of the Congress that it will not betray a single individual much less a community. If it ever thinks of doing so, it would only hasten its own doom. No nation, determined to immolate itself at the altar of freedom, can be guilty of breach of faith. My life has been an open book. I have no secrets and I encourage no secrets. I pray you, therefore, to unbosom yourselves of all your doubts and apprehensions and I shall try to meet you as best as I can. What more shall I say? What more can I say than this? "Let God be witness of the bond that binds me and the Congress with you."

(*Young India*, May 29, 1924)

But how these assurances were thrown to winds after independence under the plea of change of circumstances is a well-known fact of history which has been fully described by Sardar Hukam Singh in his article in the Spokesman. Dr. B. R. Ambedkar had rightly observed in the Constituent Assembly:

"I feel, however good a constitution may be, it is sure to turn out bad because those, who

are called to work it, happen to be a bad lot. However bad a Constitution may be, it may turn out to be good if those, who are called to work it, happen to be a good lot. The working of a constitution does not depend wholly upon the nature of the constitution. The constitution of a state can provide only the organs of state such as legislature, the executive and the judiciary. The factors, on which the working of those organs of the state depends, are the people and the political parties they will set up as their instruments to carry out their wishes and their polities.”

(Constituent Assembly Debates Vol. XI. Page 975)

Government of India accepted the aforesaid memorandum of 1956 safeguards for Linguistic Minorities issued by Ministry of Home Affairs through which it accepted the recommendations of States Recognition Commission to the following effect:

“We wish to emphasise that no guarantees can secure a minority against every kind of discriminatory policy of a State Government. Government activity at state level affects virtually every sphere of a person’s life and a democratic government must reflect the moral and political standards of the people. Therefore, if the dominant group is hostile to the minorities, the lot of minorities is bound to become unenviable. There can be no substitute for a sense of fair play on the part of the majority and a corresponding obligation on the part of the minorities to fit themselves in as to the integrated and ordered progress of the state.

The written provisions of a constitution and its actual working may be two different things. A reading of Russian Constitution may lead one to form a wrong impression of the autonomy enjoyed by the federal units of that country. The British North America Act does not impose the federalization of the cabinet although the federal cabinet guaranteed is one of the best rights of the French minority in Canada.

With this background, let us now examine some of the constitutional safeguards for minorities in India. Article 347 of the Indian Constitution provides that on a demand being made in that behalf, The President may, if he is satisfied that a substantial proportion of the population of a state desire the use of any language to be recognised by that state, be may direct that such language shall be officially recognised in a portion of the whole of the state. But in spite of repeated demands y the Sikhs in particular and Punjabis in general, of the states of Haryana, Himachal Pradesh and Delhi that Punjabi be recognised as second official language in these states. The President has so far failed to exercise his power under this article, though fact remains that there is not only a substantially large population of Punjab-speaking people in these states but also that population is concentrated in a contiguous belt in these states.

Another important provision in the Indian Constitution to safeguard interest of minorities is contained in Article 350(B) which provides for Commissioner For Linguistic Minorities to investigate all matters relating to safeguards provided for linguistic minorities and to report the President upon those matters who will get the same placed before both the Houses of Parliament and also send it to the governments of the states concerned.

The Commissioner for Linguistic Minorities reported in his Twelfth report for the period July 1969 to June 1970 with regard to the State of Haryana as follows:

“In 1968-69, the number of schools imparting instruction through Punjabi came down to 3 from 8 of the previous year. Whereas the sections went up to 5 from 4, the number of pupils cam down to 688 from 7,268. The causes of the decrease in the number of schools and pupils have been sought from the state government. The number of sections teaching Punjabi as a subject rose

to 1,243 from 616 with consequent rise in the number of pupils to 81,298 from 38,099, the overall strength of teachers went down to 327 from 588.”

The Commissioner further reported:

“The Haryana government has not yet agreed to the suggestion of the Commissioner that whenever there is demand from an adequate number of pupils, facilities for instructions through the medium of Punjabi may be made available in government, municipal and local bodies schools also. In the areas where no private Punjabi medium schools exist; the facilities for instruction through Punjabi medium in government school will relieve the hardship of Punjabi speaking pupils. It is further felt that the Government should also recognise and give grants-in-aid to few private Punjabi medium schools. Such steps will be in accordance with the all-India decisions on the subject. It is, therefore, felt that the Haryana Government should consider the suggestion.”

What was the response of the Haryana Government to the recommendations of the Commissioner For Linguistic Minorities is too well-known. Telugu was introduced as a subject under the all-India three-language formula and Punjabi was completely ignored.

The Commissioner reported as under: “According to the Haryana government, Haryana is a unilingual State and they have not, therefore, accepted the all-India agreed scheme of safeguards for the linguistic minorities that in the primary, and secondary stages of education, facilities for instruction through the mother-tongue will be made provided the stipulated strength of pupils is available.”

All this shows the impotency of Constitutional safeguards and explains what had made the representative of Ulster to remark, “Damn your safeguards; we don’t want to be ruled by you on any terms.” That also explains the increasing demand for a homeland within the Indian Union where Sikhs can safeguard their culture and tradition and wherein the Sikh interests are of paramount importance.

In 1961, Master Tara Singh went on a fast-unto-death to draw the attention of the Government of India towards discrimination against the Sikh. To make him terminate his fast, a three member inquiry commission headed by Mr. S.K.Das, former Chief Justice of India -the other two members being Mr. M.C. Chagla, former Chief Justice of Bombay, and Dr. C.P. Ramaswami Ayyer was appointed by the government to enquire into the general question of discrimination and examine any charges of alleged differential treatment or grievances of the Sikhs in the Punjab. The text of appointing this three member commission read as under:

Various charges have been made about the discrimination against the Sikhs in the Punjab. The Prime Minister announced in the Parliament on August 28, 1961 that a high-powered inquiry could be made to find out if there was any discrimination. In a communiqué issued by the Ministry of Home Affairs on 1st October, 1961, it was stated that it was considered advisable to appoint a Commission. The Government of India had accordingly decided to appoint the commission. The Commission will consist of Mr. S.R. Das, retired Chief Justice of India, Mr. C.P. Ramaswami Ayyer and Mr. M.C. Chagla, of whom Mr. S.R. Das shall be the Chairman of the Commission.

“The Commission will enquire into general question of discrimination and examine any charge of discriminatory treatment or grievances of the Sikhs.

“The Commission may devise its own procedure for the work, but will give an opportunity to the interests concerned to bring in their respective points of view before the Commission. The Commission will report its findings to the Government by December 31, 1961.”

Shiromani Akali Dal decided to boycott the commission as it objected to its personnel. At its meeting held on 9th November, it passed the following resolution:

“This meeting of the Shiromani Akali Dal Working Committee feels amazed at the attitude of the government in forming a high-power commission, the personnel of which were quite different from that which was communicated by the negotiators and the mediators to Master Tara Singh during his fast.”

Subsequently, Mr. Lal Babadur Shastri, as Home Minister on November 13, 1961 admitted that the name of Jay Parkash Narayan had been suggested during negotiations but he stated that as Mr. Narayan had refused to serve in the Commission the Government was within its right to name persons of its own choice. He further asserted that government had not given any commitment regarding the name of Jaya Prakash Narayan or any of any other four persons mentioned by Master Tara Singh.

Akali Dal's legal advisor wrote to the government: “In view of the fact that Jayaparkash Narayan had expressed his inability to serve on the commission, the Dal feels that it was further obligatory on the government to apprise Master Tara Singh of the fact. The announcement of the personnel of the commission has surprised everyone because not only were the Akali nominees not included but two persons approved by the Akali representatives and the Home Minister were also excluded.”

According to Akali Dal version besides Jayaparkash Narayan, the other persons mutually agreed upon were Mr. Pitanjali Shastri and Mr. Ramaswami Mudaliar but Pandit Nehru denied that any such agreement to names had been reached.

After examining the oral and written evidence produced before it the Commission concluded that there was no case of discrimination against the Sikhs in Punjab.

The Commission relied on the memorandum by the so-called nationalist Sikhs whose spokesman, Dr. Gopal Singh Dardi, appeared before the commission to state that Akalis were not the true representatives of the Sikhs and there was no grievance arising out of discrimination on any of the four grounds — **(i)** constitutional and legal, **(ii)** political and social, **(iii)** public services, **(iv)** government patronage to business, and industry.

It may be interesting to note that soon thereafter Dr. Gopal Singh Dardi was nominated to Rajya Sabha by the President of India and he continued to be nominated for several terms and was later also appointed Indian Ambassador to a country.

The only person, who alleged discrimination against the Sikhs before the Commission was Sardar Kartar Singh Chawla, an advocate of Punjab High Court, but even he had to withdraw, as the commission turned down his request for amnesty for referring to some secret circulars and other Government documents in that regard.

The Commission, therefore, held that none of the individuals or organisations that

appeared before it has alleged any discrimination against the Sikhs in the Punjab as such and these have, in fact, expressly repudiated that there has been any discrimination. The Commission observed that Master Tara Singh's demand was mainly that the Sikhs must have a state, as the Muslims and Hindus had, after the partition of the country. This observation was completely uncalled for as there was no material whatsoever on record to make any such observation.

After experience of a few commissions, Shiromani Akal Dal realised that even the judiciary of this so-called secular India was being employed to deny to the Sikhs their just and legal rights. Akali Dal, therefore, on 20th July, 1966 passed a resolution which read:—

“After having carefully viewed the findings, the reports and judgements of judicial and quasi-judicial tribunals and forums that have dealt with matters and cases involving important Sikh interests, comes to the conclusion that the entire judicial machinery and judicial process of the independent India, under influences of a certain section of political Hindus, is prejudiced and has been perverted against the Sikh in India in relation to their just and legal rights.

Now again the government has issued a notification on January 5, 1978 appointing a Minorities Commission to safeguard the interests of religious and linguistic minorities and remove the feeling of inequality and discrimination among the minorities.

The functions of the Commission are:

1. To evaluate the working of the various safeguards provided in the constitution for the protection of minorities and in the law, passed by the union and state governments.
2. To make recommendations with a view to ensuring effective implementation and enforcement of all the safeguards and the laws.
3. To undertake a review of the implementation of the policies perused by the union and the state governments with respect to the minorities.
4. To look into specific complaints regarding deprivation of rights and safeguard, of the minorities.
5. To conduct studies, research and analyses on the question of avoidance of discrimination against minorities.
6. To suggest appropriate legal and welfare measures in respect of any minority to be undertaken by the central and the state governments.
7. To serve as a national clearing house for information with respect of the conditions of the minorities.
8. To make periodical reports at prescribed intervals to the Government.

The commission is to submit an annual report to the President detailing its activities and recommendations. The annual report, along with a memorandum outlining the action taken on the recommendations and explaining the reasons for non-acceptance of recommendation, if any, in so far as it relates to the Central Government, will be laid before each House of Parliament.

Even this commission is not going to solve the problem of minorities in India. The notification does not lay down the qualifications of the personnel who are to constitute the commission. It only provides that commission will consist of a chairman and two other members. It would have been better if it had been provided that the commission will consist of one member each from the three substantial and real minorities, namely Sikhs, Muslims and the Anglo-Indians, duly selected by the S.G.P.C., Muslim Waqf Board and the Council of Churches in India, because the nominees of the government do not inspire confidence amongst the

minorities. More over, they are more committed to the policy of the government than justice and fair play.

Secondly, the recommendation of the commission should be made binding. These should not be recommendatory but should be mandatory. The notification does not provide what will happen if a state government ignores the suggestions of the commission as has been happening in the case of Commissioner For Linguistic Minorities.

Thirdly, the word 'minority' should be defined clearly in the light of accepted international definition should not include sub-sects and annexures of Hinduism such as Arya Samajist, Jains, Buddhists, etc. etc.

Fourthly, the scope of the commission's functions should be wider. It should cover even those issues which are not strictly within the powers of the government of India but which can be taken up by its Ministry of Foreign Affairs. For example, the question of Sikh Shrines in Pakistan and discrimination against Sikhs in the matter of immigration to Saudi Arabia should fall within the scope of the commission which should make recommendations to the government of India for taking up the matter with the concerned foreign governments.

But if past experience is any guide, no safeguards can protect a people unless the people concerned are themselves conscious of their rights and privileges which they want to enjoy. It is this consciousness which the Sikhs lack. When this consciousness grows, they may proclaim: "Damn with the safeguards."

Failure Due To lack Of Objectives-I

S Hukam Singh

I have noted in the “Spokesman” bearing the date January 29, a letter by Sardar Gurmit Singh, Advocate of Sirsa (Hisar) who appears to be a regular reader of this Weekly, and who has commented upon the views that I have expressed. I must thank him for telling me where, he feels, I am not correct. He thinks that “my articles on the subject under discussion are no sided.” Further he observes, “I am not prepared to agree with Sardar Hukam Singh’s assertion that there was one default on the part of the Sikh members in the Constituent Assembly.” He has desired that I should analytically deal with the performance of all the Sikh leaders and the reasons for our failures.

I welcome the criticism, and approve of the suggestion. In the instance I must concede that as I am one of those, though I joined later, who are being blamed for the alleged failures, it is just possible, in spite of my best intention and honest endeavours, I might be influenced, in my expressions, by an unconscious bias and an uncontrollable instinct, to save myself. I can only profess that I have tried my best to be fair and just.

To reply to Sardar Gurmit Singh I have first to examine what the failures were. Failures can only be known if we first have a clear idea of the goals that we wanted to achieve, and which we could not do.

Here I must say that our Leadership had never conceived of any concrete ends that were sought to be achieved.

The Muslim League wanted Pakistan, a State theocratic to be governed according to Islamic Shariat, and completely free from any desecration by the presence of infidels. This goal was clear, though hypocritically politicians tried to deceive the world that non-Muslims would have adequate protection,

I cannot claim I am competent to interpret the original relevant text in the Holy Qoran, but when Muslims talk of fraternity, they mean fraternity of the Muslims among themselves. When they take pride in equality, it is equality among Muslims. Non-Muslims can never have equal status with Muslims in any Islamic set up.

I am reminded of an interesting enunciation of Islamic law by two reputed Maulanas of Karnal who were co-prisoners with me in Mianwali Jail in 1924-25. They enquired of a convict what crime he had committed to earn life imprisonment. “I was guilty of murder,” the prisoner answered. The further question was whether the victim was a Muslim or a Hindu. I overheard this talk and desired to know from the learned Maulanas whether the religion of the victim would make any difference.

They replied, “Surely, if the victim was a Muslim, the murderer would never be pardoned even on the day of reckoning. But if the victim was a non-Muslim, the result could be different.”

This view, held widely, could provide enough clues to what the creation of Pakistan meant

When later gradually this was conceived and sought for and ultimately created.

The Indian National Congress wanted United India, but their goal was Independence, even if they had to pay a heavy cost. Their effort was to get riddance from the foreign yoke, and the leaders almost, all Hindus, except a few here and there, knew very well that once they seized power, they would be the masters of the field, having a dominating majority in a domestic let up, where only heads would be counted and hearts are of no avail, and tears have no place. The Hindus were ready to offer all sops and temptations to the Muslims, including Prime Ministership of the United India for the first ten years, but Jinnah was too shrewd a politician to fall into such a trap. He knew that when once the Third Party, the ruling Englishmen, was gone, his minority including its Prime Minister would be at the mercy of the majority. The Muslim League remained impervious to all overtures, and immune to all influences. The Hindu leaders, except Mahatma Gandhi, were much too impatient to get into power. They began to adjust themselves and slowly to reconcile to the partition. Their aim was independence and power for majority.

The Sikhs had all along been supporting the Indian National Congress in all struggles for winning freedom. *When the Communal Award came the Sikhs felt betrayed. The Congress neither rejected nor accepted the Award. The Sikhs were isolated.* Cripps Mission failed because parties could not agree. The Cabinet Mission worked out a scheme, but that was most unfair to the Sikhs. *The Sikh stand had always been that they favoured United India, but if, in any case, the country had to be partitioned, then the Sikhs must have a place where they can feel secure and not get subjected to the tyranny of any communal majority.*

This was no concrete objective. The Sikhs faltered at every step with every move of the pendulum from a United to a Divided India. They could not stand at one firm position. The prospect of a separate Pakistan frightened them and they would throw their whole weight on the side of the Congress. In this position the Muslim League would plead that the Sikhs are only an appendix of the Hindu Congress and *not worthy of recognition, as separate individuality.* The Britishers wanted the Sikhs to throw their lot with the Muslim League. The English desired to weaken India, and advised the Sikhs, overtly and covertly, to *come to some understanding with Jinnah.* The Sikhs could not do that, though some discussions did take place. The English rulers thus felt unhappy with the Sikhs. *Mr., Jinnah threw some temptations, but was insistent on reserving Defence, Foreign Relations, and Communications for the Centre. Master Tara Singh and other Sikh leaders were apprehensive that if, and when power passed into Jinnah's hands, the Sikh minority would be absolutely at the mercy of the Muslim majority. Therefore, the Sikhs asked for right of secession which Jinnah refused.*

The Sikhs thus felt bewildered. They could not point out any region, which if formed into a State, could be viable and have a Sikh majority. There was not even one district where the Sikhs could claim a majority. There was a suggestion for 'Azad Punjab,' where none of the three communities could have an absolute majority. This idea was not acceptable to either Muslims or Hindu. The Indian National Congress used the Sikhs and encouraged them to ask for it only so long as they could hope to defeat the demand for Pakistan. The Congress leaders had foolishly believed that Jinnah would himself resile from his proposal when he found Pakistan so "truncated and moth eaten." As soon as the Congress discovered that Muslim League was determined to have a separate homeland, whatever its size and geography, the Congress withdrew their support of Azad Punjab. Rather the aggressive and communal section inside the Congress, and outside it, began to damn the idea of Azad Punjab as anti-national. This *Sikhs found themselves betrayed from both sides and leaders felt confounded and confused.*

I have to-day only discussed the *pre-partition negotiation stage*. I have pointed out that the Sikh leaders had no objective, clear and precise, which they could, whenever asked by the Viceroy, Sir Cripps or Cabinet Mission, put or state definitely, I can never say that our Leadership had that talent or stature or political foresight which could match the leaders of Hindu or Muslims. I have always criticised the leaders of that time. But I have thought over that again and again, felt doubtful whether, placed as we were, better or more sagacious leadership could have brought about better results. *If someone tell me even now, being wise, after the event what we should have worked for and how we could have achieved them I may be better able to examine that possibility.*

Minority In Congress Phraseology Has Always meant 'Muslims' Alone

S. Hukam Singh

It gives me great satisfaction that readers of The Spokesman Weekly have begun to evince interest in the articles that I have been contributing to this paper. I have received many letters, some directly addressed to me, and some received by the management of the paper. Quite a number have supported my views and the manner of my presentation. Simultaneously there are often who have differed in my approach and way of thinking. Sardar Hari Singh Shergill, Sardar Gurmit Singh Advocate and recently one Sardar H.S. Brar have subscribed there own views, which have been published in the "Spokesman". It is a very healthy sign that free discussion has started and this paper has voluntarily offered its columns for differing views. In this way good material would be collected in print, the public would be able to make their own assessment, and the future historians shall have records to prune and sift out the facts.

I have very much appreciated the dissent expressed by Sardar Gurmit Singh and Sardar Brar. I value their opinions. My series were interrupted and chain disrupted when I deviated from my sequence and began replying to Sardar Gurmit Singh's exceptions. That reply had not yet been completed, when Sardar Brar's contribution has been published. I have decided to proceed in my own way, but I will be keeping their views and objections in mind, and shall try to give my own reactions to every point that seems relevant at a particular stage."

Whenever the Congress leaders, whether before partition or after, expressed solicitude for minorities, then it was only the Muslim minority that was intended. If ever the Sikhs were mentioned, it was only to use them for some purpose. Normally the Sikhs were taken for granted as dependable allies and confirmed supporters, several times only exploited as volunteers to make sacrifices, occasionally humoured with empty, though high-sounding phrases as platitudes praising their bravery, fortitude and devotion to country, but never willingly conceding anything substantial unless forced by circumstances to yield the minimum for the time being.

When the Lucknow Pact was signed in 1916 between the Congress and the Muslim League, the Sikhs were never consulted, they were completely ignored. The Congress accepted the basis of separate electorates and this was done to placate the Muslims to secure their support for freedom movement. Separate electorates had been provided in the Minto-Morley Reforms in 1909, but the Sikhs were not recognised even a political entity. It was only in 1919 at the time of Montague-Chelmsford Reforms that the Sikhs were admitted as a "distinct and important people." It was appreciated that "they are everywhere in minority and experience had shown that they go virtually unrepresented."

It is strange that though in the case of Muslims the Congress had itself willingly agreed to the principle at Lucknow in 1916, in the case of Sikhs, when the same system was recommended to be introduced the Congress opposed this move with all its strength. The League found a good ally in the Congress, but the Britishers saw it through, making it clear that the same would not be extended to any other minority.

Another attempt to placate the Muslims was tried when Mahatma Gandhi took up the issue 'Khilafat' as an Indian issue. The basis of 'Khilafat' was the cry 'Islam in danger,' but Mahatma Gandhi even out-Heroded. In supporting that. It was a great blunder, and as soon as that issue was settled the Muslims resumed their old altitudes.

There is no doubt that Gandhi was a shrewd politician. He was a staunch Hindu, not simply by birth, but also by his convictions and beliefs. The prayer meetings that he addressed in Delhi by including recitations from Qoran also were another clever move to woo and win over Muslims. But all his manoeuvres failed, as the League was convinced that if and as soon as they suffered themselves to be yoked together with a communal majority, they would loose all what they valued whatever the professions and the pretensions.

Even the tirade or hatred preached against the Sikhs during the prayer meetings was intended to assuage the feelings of Muslims and to please them, ignoring altogether the repercussions that it was likely to have in the independent India. I believe that this sustained campaign was also responsible for the formulation of the policies by the Centre and the State of Punjab, which inspired the authorities to run down Sikhs and discriminate against them in all spheres. The post-independence struggle that the Sikhs had to carry on were only the consequences of these policies and expression of deep resentment against discrimination. These cries of anguish for securing justice and ensuring survival were denounced as separatist tendencies and dubbed as communalism.

Earlier In 1932 when the Communal Award was announced by the Prime Minister of England, and the Muslim majority in Punjab was accepted as a permanent feature, the Congress did not dare reject the Award lest the Muslims got irritated. Neither rejection nor acceptance did mean anything but absurdity. Mahatma Gandhi never uttered a word against the injustice, implied in the Award, to the Sikhs, but staked his life for keeping the Scheduled Castes in the Hindu fold, and succeeded in their agreeing to the joint electorates. However, when the Sikhs felt exasperated at the tragic massacre in Nankana Sahib, and their injured feeling could be canalised to flow with the Non-cooperation Movement all top leaders of the Congress rushed to the spot to express sympathy and extend support. And when the Punjab Government was compelled to hand over the keys of Darbar Sahib to the Sikhs, Gandhi applauded it and interpreted it as the "First Victory in the freedom movement."

This sympathy and support was only to suit particular objectives of taking advantage of the dash and endurance for suffering and sacrifice of the Sikhs and not for any genuine desire to help their cause, became manifest, when in 1928, at the time of Nehru Report, the Muslims were conceded majority in the Punjab on the basis of communal electorates, thus leaving the Sikhs at the mercy of an absolute majority even in their home State.

About Mahatma Gandhi's influence among, and effectiveness of appeal to, the masses, Allan Campbell Johnson, in his Mission with Mountbatten writes, "I cannot presume to assess the full measure of Gandhi's moral and spiritual nature, but his political power and personal magnetism, judging by the devotion he aroused in millions from one end of the sub-continent to the other, can have had few precedents in history. He had an amazing instinct for the mass propagation of ideas, reinforced by the direct contacts which he audaciously encouraged though his "Prayer Meetings" and vast correspondence with people in all walks of life". Of course there have been differing assessments about "the full measure of Gandhi's moral and spiritual nature", but there have never been any two opinions about "his political power and personal magnetism"

which could arouse devotion in millions, as also his “amazing instinct for the mass propagation of ideas”, reinforced by the direct contacts through his Prayer Meetings. When these meetings were utilised to propagate hatred against a small minority (Sikhs) who had “undergone tragic sufferings” both before and after partition, then the attitudes of the government as also of the majority could not be anything but of discrimination against and denunciation of that ill-fated minority. This was all to placate and please the Muslims, and assure them of all protection by the authorities.

Were No Amendments Moved?

— S. Hukam Singh

My attention was diverted by the letters of *Sardar Gurmit Singh, Advocate Hissar*, and of *Sardar H.S. Brar*, who had pleaded that it was more the failure of the Sikh leadership to meet the challenge of the situation on the eve of partition, rather than the conspiracy of circumstances or the intrigue of the Congress, or the Muslim League or the British which brought about the results that we have had to face and encounter since partition. I had been arguing that better intellectual equipment or political sagacity would not have achieved more favourable terms. These two young Sikh believed, and do so even now, that our leaders missed the opportunity of accepting the sub-autonomous unit offer of Muslim League and proved too naive to understand the clear maneuvering by the Congress leaders. I have not been able to agree to their point of view. I still hold that any rapprochement or understanding with League would have proved disastrous, and their promises only illusory. I know I have not been able to convince these young men, but I have to give up that attempt and revert to my own series that had been interrupted by these letters.

In my past contribution I had tried to substantiate that Sardar Patel was incorrect in reiterating that the Sikh representatives had given any undertaking not to seek for any other safeguards if four castes of Sikhs were included among the list of Scheduled Castes. This was a distortion of facts. I had reproduced the letter conveying the decision, which belied Sardar Patel's assertion. When I charged the Congress with breach of faith, Sardar Patel came up with an angry reply, excerpts from which I will quote today. This has become necessary because the author of the "Punjabi Suba", *Sardar Ajit Singh Sarhadi*, either through ignorance or through malevolence, in my belief later has charged me of failure to plead the case of the Sikh minority. I have already answered one part of his criticism whereby I expressed gratitude to Sardar Patel. The latter had repeatedly claimed that he had to struggle hard to win over the concession of four backward castes, professing Sikh religion, being included in the Schedule Castes list. Whether it was a concession given or a right antecedent in either case I said, I was grateful. This was a sarcasm, as immediately I added I held different opinion and criticized the Congress Govt for betrayal. The second part of the charge was that I had failed to move any amendments. This was not correct and I reproduce from the Constituent Assembly Debates portions to substantiate my stand.

The debate was on Article 296 of the Draft Constitution. At first decision had been taken that claims of all minorities shall be taken into consideration, "in the making of appointments to services and posts in connection with the affairs of the Union or of a state. This was done in August 1947. This was partly "reopened on the strength of a letter by Honourable Sardar Patel dated 11th May 1949 to reopen not the consideration for the minorities about the services but only the reservations in the Legislatures. I submit that Sardar Patel sent a report that the system of reservations for the minorities other than Scheduled Castes, in the Legislature be abolished. This Resolution was accepted by The House on the 26th May 1949 at the instance of Sardar Patel" (*Speech of Naziruddin Ahmed dated Oct. 14.1949*).

Reopening to this extent the Sikh representatives had agreed to. The original decision gave no reservation of seats on population basis only in East Punjab, and not even in Pepsu, not to talk of UP, Rajasthan or any other State, the reservation in East Punjab was not in our interest. We agreed to give that up. But Sardar Patel was practising shock tactics. When one shock had been

absorbed, he would administer another. On October 14, 1947, Dr. Ambedkar moved in accordance with the final report of Sardar Patel, that;

“The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the Union or in State.”

When the Sikh minority was sought to be dropped, then Sardar Bhupinder Singh Mann raised a ‘point of order, asking whether decisions once taken could be so easily reopened. His point was rejected by the House. Both of us moved separate amendments seeking to include Muslims, Christians and Sikhs in this safeguard. I criticised the Congress for betrayal and breach of promise, made in 1929, 1946, 1947. The reply of the furious Sardar Patel began:

“Sir. I had no intention to speak on this article, but when I heard that a definite insinuation was made in this House that because the Congress Party has majority in the House therefore it does not care for the promises given to the Sikhs and they are breaking the promises given to them, I have to speak. I am sorry to hear this charge from the Sikhs or a representative of the Sikhs. Sardar Hukam Singh made this point.....

“Now I wish only to answer that charge.....”

“We are, he alleges, breaking the promises given in 1929 one in 1946 and another in 1947. If he refers to 1929 and then again to Partition of India and Pakistan, I wish to point out, to him that there was not a single Sikh voice against the partition; on the other hand they are probably in the forefront in demanding partition of the Punjab. After the butchery and the bloodshed that took place in Rawalpindi and Multan, the Sikhs were terribly upset and naturally distressed and they had considerable sympathy from the Congress. At that time there were other tragedies happening in other parts of the country and thus came the conflagration in Lahore, Amritsar and other parts of the Punjab. It was at that time with the concurrence of the Sikhs, — unanimously, with one voice they agreed, we agreed to the partition of India.”

This portion of reply related to my pleading:—

“The Sikhs are told when they remind the Congress of their past pledges in 1929, 1946 and again in 1941 that circumstances have changed. The Sikhs were recognised as one of the three communities in the Cabinet Mission Plan, of which this Constituent Assembly is the creature. The only changed circumstance is that Muslims have got Pakistan. Does it stand to reason that because Muslims have secured Pakistan therefore the Sikhs have ceased to be a minority? Is this a logical conclusion?”

I was right in saying so. I have already referred earlier in an article that important leaders of the Congress openly shouted that there were no minorities after partition. Dr. Ambedkar had warned them not to think or say like that, but no body heeded that advice.

In the same context had further said:—

“I would be failing in my duty if I do not point out what our feelings are Pakistan resorted to crude and positive violence to eliminate their minorities. **We are using a subtle, indirect and peaceful way of resolving the same question. True to our traditions we are of course non-violent.**”

Then I made an appeal to the Constituent Assembly thus:—

“I appeal to the House to go slow. I request the majority to win the confidence of the minorities by positive actions and not by mere slogans...”

This was natural to anger Sardar Patel. But in his reply he confused certain things probably deliberately. This was correct that when “Rape of Rawalpindi” was committed the Congress sympathised with the Sikhs. From the beginning the Sikhs were the main targets and this continued in all the crusades of the Muslim League. This sustained policy found expression openly after the partition in the raiders campaigns in Kashmir in the form of a slogan *“Hindu ka zār, Sikh ka sar, aur Muslim ka ghar”*, meaning they wanted the money of the Hindu, the head of the Sikh and the roof of the Muslim. Though this proclamation was made public in October 1941, yet this had been the uniform practice since March 1947.

This sympathy of the Congress towards the Sikhs was only natural for the aggressors were Muslim League people and the victims were Hindus and Sikhs. So long as this was the position, Hindus and Sikhs were united. Even the much bated, and wildly maligned afterwards, Master Tara Singh was accepted and recognised as the sole leader of Hindus and Sikhs alike. The behaviour changed when, in Punjab, the Muslims migrated to the West, the Hindus became a majority in the East Punjab. Things did not change for the Sikhs, who were a minority before partition and remained so afterwards also.

Sardar Patel was not correct that the Sikhs wanted partition of India unanimously and then only the Congress agreed to that — Rather the truth is that Sikhs tried all means to see India remain united, but they felt convinced that Congress leaders had reconciled themselves to the demand for Pakistan, and then insisted that if India was to be partitioned, then Punjab must be divided.

Could There Be A Separate Sikh State?

Durga Das in his book “*Curzon to Nehru and After*” has narrated that he had suggested to Nehru that Master Tara Singh might be asked whether he wanted a Khalistan or agreed to live with Hindus as equal citizens; is the later ease there could not be any further demand for the Sikhs; and if he wanted a Khalistan then the settlement of Refugees could be done in a specified limited area. The author quoted Nehru to say: “I have put the question to Master Tara Singh. I had never seen the Akali leader so crest-fallen as on that day. He assured me that he did not want any separate State for the Sikhs.” Sardar Gurmit Singh infers that there was a chance to have a Khalistan and Master Tara Singh missed the opportunity.

I do not agree with this inference. In the first instance this was simply a taunt and not an offer, which was genuinely made and intended to give Masterji an opportunity, when 50% of the community had suddenly become homeless; uprooted from their rich lands and flourishing businesses. When lakhs were on march, deprived of their valuables, many having lost their wives and daughters who had been raped and snatched away, with scanty belongings as their headloads, traveling on foot in caravans, with children crying and women shrieking, proceeding to an unknown destination without knowing what their future was going to be, was this sympathy and support by the Prime Minister to enquire if Master Tara Singh whether he desired ‘Khalistan’ and whether any leader, under such stresses and strains, physical and mental, should have asked for any separate ‘State’ by which he would certainly have lost whatever he expected by way of relief and rehabilitation, for the multitudes of destitutes, from the leaders who had gained power by sacrificing crucial areas, and were now well entrenched in their seats? Supposing the Akali leader had asked for a Khalistan, then is it conceivable that this would have been granted? I cannot persuade myself to believe that this was a genuine offer, and if accepted, would have been fulfilled. Rather such an acceptance would have made us aliens from the very start, and the policy letters issued need not have been secret and disguised, but open and explicit. The Sikhs would have been restricted in a small area of two or three districts and watched as suspects by every Indian. Our fate would have been much worse. The rehabilitation would have become impossible.

Durga Das was a tool in the bands of Sardar Patel. Inspired by the Sardar, the former had put the question. The Congress leaders knew that the answer to the query could not be anything else. It was rather mischievous for anyone to have posed this question. Crest-fallen Master, more than ever before, must have lamented the situation Durga Das played his part then and long afterward also. The ‘Hindustan Times’ under his stewardship, consistently followed a policy of hostility towards the Sikhs. Admittedly this paper remained a mouthpiece of the Congress Government. Throughout the Akali Morcha, subsequently undertaken, the ‘Hindustan Times’ systematically condemned the Sikhs without ever caring for justice and fair play. If, in that situation, Master Tara Singh, did not demand ‘Khalistan’ I would not blame him.

But I must concede that the Leadership faltered earlier. We had had to fight for the (a) recognition of Punjabi as the mother-tongue, (b) treatment of Sikh Scheduled Castes on par with their counterparts professing Hindu religion, (c) Fair treatment for services. (d) equal representation in ministry in the Punjab after 1947 for about 20 years continuously, and undergo untold hardship These demands, if made at the time of throwing our lot with the Hindus before partition, would have been met for the mere asking, though it was again doubtful how the implementation would have been done. Subsequently high-sounding phrases, and beautifully-

worded sentiments, embodied in constitutions and solemn pledges made are of no avail if these are not sincerely implemented in spirit.

The Sikh leaders failed to achieve something concrete and did not have the same caliber in intellect and political maneuvering as their counterparts in the Congress and the Muslim League, we can agree upon. But whether a wiser leadership, with deeper political insight, would have carved out something better and more beneficial for our security and prosperity, shall remain a subject of controversy and disputes. I have not been convinced by the suggestion in the letters appearing in the 'Spokesman' and the arguments contained in them, that situated as we were, anything done in a different manner would have secured for this minority advantages, that would have been enduring and long lasting.

I have rather taken too long in answering the criticism of Sardar Gurmit Singh, advocate Hissar, and I might not yet been able to meet all his points. I may be pardoned if I have that here.

Sardar Hari Singh Shergill too wanted me to clarify "how was it that consequent upon the undernoted unequivocal historic note of dissent on the final draft of the Indian constitution in Jan. 1950 by the Akali Dal representatives, the Sikh leadership made no further move to its logical end?

"The Sikhs do not accept this constitution."

"The Sikhs reject this constitution."

"I am not very clear what could have been done to take this 'rejection' "to its logical end." There could be (1) boycott of further proceedings; (2) Demonstrations or any other form of agitation, (3) Not participation in the coming elections that are to be held in 1952.

Of these (3) would have been impossible, and not of any advantage. The community was not in a mood, in those days of stresses and strains, to undertake agitations. The rehabilitation was the urgent need. Therefore (2) was not advisable, as far (1) there was no further proceedings. It was signed and finished. There was nothing be done by the Constituent Assembly.

I recollect when I tried to participate in some discussion in the Provisional Parliament, after Constituent Assembly had ceased to exist, a member raised a 'Point of Order' "whether a member who has refused to sign the Constitution could take part in the proceedings of the House? Mr. Ananthaswami Ayyengar, who was in the Chair then ruled that the Constitution had been adopted by the majority vote, signatures were no part in its adoption. If some member did not want to leave his memory for the posterity, this did not affect his membership." It was true that the 'Constitution' could be passed and adopted by the majority vote. If the Akali representatives refused to sign and I announced in the open House that the Sikh community cannot accept the constitution, that could not change the situation. My protest was and is there. But there was nothing that the leadership could have done to carry my rejection to its 'logical end.'

Sardar H. S. Brar had raised many issues in his letter published in the 'Spokesman' of Feb 19, 1973. He joined issue with me on four points and dealt each one in detail. In my articles I have tried to reply to his points as well; as many of them were common in other letters also. The British wanted the Sikhs to side with Pakistan to make that bigger and stronger and they punished the Sikhs for not doing so, has been stoutly challenged by Sardar Brar. If I have not been able to convince him, would excuse me to remain unchanged in my assertion. "While parleys were going on between different parties about how to share power from British hands, the Muslim League,

on its own, offered autonomous state to the Sikhs,” Sardar Brar says. But that is not correct. If Defence, External Affairs and Communications had to remain with the Central authority, such a unit could not be autonomous. I have already argued that a third dominion was impossible, as we had no majority even in one district. Further how could the Muslim League or the Congress offer the Sikhs an autonomous State. It was only the English who could have done anything like that. Even Lord Mountbatten had ultimately expressed helplessness. When he advised the Sikhs that they could only improve their position by negotiations with either of the two parties Jinnah rejected the demand for the right of accession and without that right this would have meant slavery.

Sardar Brar has argued that the Sikh leadership suffered from an obsession of hatred against the Muslims and were pre-possessed by certain attitude. This may be correct to some extent. But past history was not easy to forget. What had happened in Rawalpindi during March, only two months earlier, was a pointer and could not be brushed aside.

No doubt youngmen think differently. They feel that the Muslim League could be trusted, and would have kept the promises made to us. But our generation had just the contrary experience. We wish the younger generation Godspeed in adopting fresh attitudes. Past events cannot be overlooked by us, and we would wish to be excused for this helplessness of ours. Let the younger elements try fresh ventures.

Indian Federalism-Its Scope And Dimensions

India is a vast and populous country with deep diversities or races, religions, languages, traditions and cultures. All these have been contending for recognition and growth.

Centre-State Relations

The nature of centre-state relationship has been a matter of debate from the very beginning. Minorities have been demanding that such a constitutional framework should be worked out in which interests of no class or community are subordinated to the interests of any other, all should have satisfaction of governing their country, and every community should have guarantees of protection of their political, religious, economic and cultural rights against every other community and should have assurance of freedom from domination by any community. To achieve this objective, there has been a demand for provincial autonomy within a federal framework.

Congress Before Partition

Before partition, the Congress party was not averse to any such demand. On 6th July 1946, Pandit Jawaharlal Nehru, addressing a press conference on the occasion of All India Congress Committee meeting at Calcutta, declared:—

“The brave Sikhs of the Punjab are entitled to special consideration. I see nothing wrong in an area and a set-up in the north wherein the Sikhs can also experience the glow of freedom.”

The British Cabinet Mission Plan, published on May 16, 1946, and dealing with this subject, observed:—

“We now indicate the nature of a solution which, in our view, would be just to the essential claims of all parties and would at the same time be most likely to bring about a stable and practicable form of constitution for All-India.

Mode Of Constitution

“We recommended that the constitution should take the following basic form:—

(1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects: foreign affairs, defence and communications; and should have the power necessary to raise the finances required for the above subjects.

(2) The Union should have an executive and a legislature constituted from British Indian and States representatives. Any question raising a major communal issue in the legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

(3) All subjects other than the Union subjects and all residuary powers should be vested in the provinces.

(4) The States will retain all subjects and powers other than those ceded to the Union.

But after partition when power came into the hands of the Congress leaders, they retracted from their promises and denied to the Indian people a real and genuine federal structure on the pretext of safeguarding the solidarity, sovereignty and stability of the country. But still majority of the members in the Constituent Assembly favoured decentralisation of power. Mr. N V. Gadgil, a member of the Constituent Assembly, rightly pointed out: “I doubt whether there is a single individual either here or outside, or a party here or outside, which has stood or stands for a completely unitary State.”

Therefore, an attempt was made to combine a powerful centre with autonomy of the States. No established constitutional description really fits this arrangement. It is not a federation because the units do not enjoy independence or autonomy in the real sense, and it is not a unitary State because the provinces are not agencies of the state.

Commenting on this arrangement, Professor Alexaondrowicz calls it *sui generis* (Latin for “altogether unique”).

But a constitution proves to be good or bad depending upon the persons who are called upon to work it. Democracy to be real and effective, must function with equitable distribution of authority. Concentration of power at the centre leads to totalitarianism. A federal system of government with division of powers between the centre and the states, in which every state and its elected legislature and government are virtually autonomous, is a sure safeguard against dictatorship or totalitarianism.

Present Position Of State

In India, the states have been reduced virtually to the status of glorified panchayats. To quote Mr. Balraj Madhok, a staunch supporter of Jan Sangh, a party committed to ideology of Akhand Bharat, “as things are, most of the states have been reduced to satrapies and their Chief Ministers have been reduced to the position of subedars appointed by the grand Mughal from Delhi. Such Chief Ministers cannot be expected to have a mind or will of their own. They must carry out the orders from Delhi. Thus ‘democratic centralism’ on the Communist model has been put in operation in practice.”

Karnataka Chief Minister Veerendra Patil complained in November, 1970, that the chief ministers, not belonging to the Congress party, were ‘humiliated’ by the centre and that they were not taken into confidence in respect of “central policies and latest international development.” He stated that union ministers visiting his state capital lured M.L.A.s to defect to their party and to topple his government. He further disclosed that the state ministers could not even get interviews with the union ministers in New Delhi with ease and grace.

Akali’s Demand

Demand for greater provincial autonomy was raised by the Akali leaders from time to time in their stray utterances but a formal clear-cut resolution was passed on September 30, 1968 at Akali conference held at Batala. The resolution read,

“This conference of Shiromani Akali feels strongly feels that great changes have come in the political field of the country during the past 20 years, and as such, new considerations have cropped up, necessitating reconsideration of the state-central relationship under the changed conditions, any non-Congress governments have come in several states of the country and the Congress Party in power has abused the constitution to the detriment of the non-Congress governments, and uses its power for its party interests. Therefore, it has become necessary in the light of the experience gained, that the constitution of Bharat should be reconsidered and changes made in the state-central relationship to fit in with new conditions.

“The Shiromani Akali Dal demands that the constitution of India should be on a correct federal basis and that the states should have greater autonomy. The Shiromani Akali Dal feels that the central government’s interference in the internal affairs of the states and the obstacles it places in the proper functioning of the states machinery are detrimental to the unity and the integrity of the country; therefore, where this conference demands of the central government that necessary changes should be brought in the constitution, there it also appeals to the state governments to raise their voice to protect and safeguard their rights so that the country may be able to go smoothly on the federal system and progress by maintaining unity and entity.”

It is interesting to point out here that Sardar Kapur Singh, former I. C. S., who was once chief protagonist of the Sikh Homeland demand opposed this resolution through a press statement issued by him on 27th April 1969 at Jullundur. He declared:—

“It was further demanded by this group that more powers should be transferred from the centre list of seventh schedule of the constitution Act to its state-list. This is essentially a communist demand, the purpose of which is to weaken the centre so as to prepare ground for eventual takeover of the country by the communists. The demand for internal autonomy in the Sikh homeland is directed towards strictly regulating the state powers for purposes of preserving the eternal unity of India, that is Bharat, and for containing such trends and forces and ideologies that are inimical towards the integrity of India and a united Indian nation.”

Thus Sardar Kapur Singh, while demanding specific autonomous status for Punjab within the Indian Union on historical and political groups connected with the Sikhs people, opposed the demand for provincial autonomy for other states. How far it is a correct approach may have to be dealt with in some detail.

Problems Being Faced By Punjab

The two problems facing the state of Punjab currently are the inclusion of Punjabi-speaking areas and the control of irrigation and power projects. On July 20, 1966, the Akali Dal (Master Group) passed a resolution, formally demanding establishment of a Sikh homeland. It said:—

“First, the Sikh areas deliberately not included in the new Punjab to be set up, namely, the establishments of Bhakra and Nangal, fertile areas of Gurdaspur district, including Dalhousie; Ambala district, including Chandigarh, Pinjore, Kalka and Ambala Sardar; the entire Una tehsil of Hoshiarpur district, Desh area of Nalagarh; tehsil of Sirsa and sub-tehsil of Tohana, and Ratia Block of Hissar district; Gubla sub-tehsil and Shahbad block of Karnal district; and the contiguous portion of Sri Ganganagar district of Rajasthan must

now be immediately included in the new proposed Punjab so as to bring all the contiguous Sikh areas into an administrative unit to be the Sikh homeland within the Union of India.

Secondly, such a new state of Punjab should be granted an autonomous constitutional status similar to the one granted to the state of Jammu and Kashmir in the constitution act of India as it stood framed in 1950.

An analysis of the above resolution clearly shows that inclusion of areas has been given primary importance while autonomy has been assigned secondary place. At present this subject falls within the purview of Article 3 of the constitution which empowers the Parliament to form new states and alter the areas, boundaries or names of existing states. The only limitation placed on Parliament in this respect is that such a bill shall not be introduced before it is referred to the state legislature for expressing its views. However, Parliament is not bound by the opinion of the state legislature and may reject the recommendations of state legislature.

Those, who are demanding more powers for states, want that this article should be amended so that Parliament may be denied this power except with the express consent of the state legislature. But is this demand by the states is accepted, will Punjab get these areas at all because no state legislature of the neighbouring states is likely to approve of gifting of its area to Punjab? So, in this respect, interests of Punjab clash with those of other states which want their territories to be unalterable.

Parliament And Its Powers

Under Article 262, Parliament is empowered by law to provide for adjudication of any dispute or complaint in respect of use, distribution or control of the waters of, or in an inter-state river. This article further empowers the Parliament to take away the jurisdiction of the Supreme Court to adjudicate upon any such matter. Here, no doubt, the powers of the centre are very vast. Some guidelines regarding control of management of dams, power houses and headworks should be provided in consonance with international conventions regarding such inter-state water disputes. It may be provided that the work shall be executed and the control shall vest in the State which is the biggest beneficiary from the project.

In financial matters, states do need more powers. A state should get 80% of the money raised by the centre through taxation in its territory. Similarly, banking should also be a state subject so that a state may regulate the investment of money collected by a bank in its territory. States should be empowered to have commercial relations with foreign countries directly and for that purpose to appoint its own commercial attaché in those countries.

Further, there should be provision for double citizenship. States should have a citizenship of their own, as in the case of U. S. A. This will enable the immigrants to foreign countries to retain cultural, financial and religious contacts with the state of their origin and will also greatly benefit the states which can receive freely investments by these otherwise foreign nationals. Sardar Gurcharan Singh Tohra has rightly asked for such double citizenship for the Punjabi immigrants settled in other countries. The states may also be allowed to have their own constitutions within the broad framework of the national constitution. In Russia, states have this power. This will enable the states to promote the special cultural and religious object of its policies. Promotion of Sikh religion, Punjabi culture and Punjabi language may be provided as Directive Principles of State Policy in the constitution for the State of Panjab. The states may also adopt

their own flag, anthem and song.

All this will help to fulfill the aspirations of the people and also help the minorities and sub-nationalities to preserve their own heritage and way of life. Stronger states will help in building a stronger India.

Law and order should fall completely within the domain of the states, and centre should deploy its para-military forces like Central Reserve Police, only when a request is made by a state government.

Further, the governors should be appointed on the recommendation or approval of the state government and the governor should be bound by the advice of the state cabinet in the same manner as President of India is bound by the advice of union cabinet. There should be a provision for recalling a governor if a resolution to that effect is received by the President from the State legislature duly passed by simple majority.

Residuary powers should vest in the states and Article 249, giving power to Parliament to legislate on a subject in state list, should be deleted. Center's powers should be confined to defence, currency, communications, foreign affairs and general co-ordination.

Rajya Sabha should be converted into a house of minorities. Various minorities should enjoy in it representation equal with the majority community. A somewhat similar recommendation was made by the Sapru committee too (see Recommendation No. 18.)

Article 350 should be amended suitably so that minority commission gets constitutional sanction, members of the minority commission should be nominees of the minorities as recommended by the Sapru Committee (See Recommendation No. 18)

Sikhs' Representation

It is a pity that no Sikh has been nominated to the minorities commission announced last month, although Sikhs have been most vocal in complaining that they have been discriminated against in India during the past 30 years. Maulana Abdullah Bokhari, Shahi Imam of Delhi's Jama Masjid, has already expressed his lack of confidence in the chairman of the commission. States should be empowered to initiate amendments to the Constitution of India. If such an amendment is approved by two thirds of the states, then it should be deemed to have been passed by Parliament also.

All officers posted in a state should be subject to disciplinary control of the state government notwithstanding that they belong to the union service.

Decentralization is as necessary in case of political power as it is necessary in case of electric power to light the villages.

Awkward Position Of A Common Governor — Akalis Must Beware Of Hurdles On Way

While the proposal to have a common governor for the states of Punjab and Haryana seems to have been shelved for the time being due to its rejection by the Shiromani Akali Dal Working Committee, its implications and background need a study.

Ever since the time of the framing of Indian constitution, there has been controversy on whether India should adopt a federal policy or be a union. While one school of thought pressed for greater state autonomy, the other has been advocating a strong centre. For example, while Shiromani Akali Dal, the main ruling party in Punjab stands committed to greater autonomy for states, Mr. Morarji Desai, the Prime Minister of India, during his very first visit to Punjab, declared publicly that he did not consider the bifurcation of Punjab into Punjabi Suba and Haryana a wise step and that he stood for bigger zones. These tendencies have led political scientists. like Carl J. Friedrich to remark:—

“In India there has been a steady evolution in the direction of regional differentiation, and prophets of doom predict an eventual break-up of the Indian political order. One need not agree with such counsel of despair to recognise that the last word has not yet been spoken about the clash of centrifugal and centripetal forces.”

With this background, let us study the position of the governor under the Indian constitution and evaluate his possible role in the politics of Punjab. Explaining the role of governor under the Indian Constitution, Mr. P.K. Sen wrote:—

“The function of the governor shall be to lubricate the machinery of the government to see that all the wheels are going well by reason not of his interference but of his friendly intervention.”

There seems to be a wrong impression in the minds of some people that governor, under the Indian constitution, is only a figure head who is required to act on the advice of the council of ministers. However, the exact legal position is materially different. Art 163 (I) of the Indian constitution lays down:—

“There shall be a council of ministers to aid and advice the governor in the exercise of his functions *except in so far as he is by or under the constitution. required to exercise his function or any of them in his discretion.*”

The constitution is absolutely silent and does not specify the matters in which the governor has to exercise his discretion but these discretionary powers are very vast.

To take some examples, Shri Dharm Vira, the Governor of West Bengal, in November 1967 dismissed the United Front Ministry, headed by Mr. Ajoy Kumar Mukherjee, without giving him an opportunity to seek the verdict of the state legislature and appointed Dr. P.C. Ghosh as Chief Minister. Mr. Justice B.C. Mitra dismissed by common order the two quo warranto petitions challenging the validity of the appointment of Dr. P. C. Ghosh and his ten ministers by observing that pleasure of the governor was “unfettered and unrestricted” under Art. 164 (I) of the constitution which provides that chief minister is to be appointed by the governor and the other ministers are to be appointed by him on the advice of chief ministers and that the minister will

hold office during the governor's pleasure.

Still more important aspect of the matter is that when new government, formed in West Bengal after fresh elections demanded the recall of Governor Dharam Vira, the central government refused to oblige, asserting that under Art. 156 of the constitution, the governor holds office during the pleasure of the President and there is no provision for his impeachment.

So Sardar Parkash Singh Badal, while agreeing to any proposal for a common governor for the states of Punjab and Haryana, must keep in mind the fact that while Janta Party is to rule at the centre and in the Haryana state, the Akalis are the main ruling group in Punjab. On some issues, Akalis and Janta Party may not see eye to eye with each other and a stage of confrontation may be even reached. In that situation, the Governor, being an agent of the centre, can play a role prejudicial to the Akalis. In that eventuality, his recall will be impossible, particularly when Haryana ministry will not want it.

To take another precedent after the mid-term poll in West Bengal following the aforesaid incidents, the United Front secured an absolute majority in the legislature and Mr. Ajoy Mukherjee again formed the ministry. In the 'governor' address to the legislature, the cabinet included two paragraphs condemning the role of the governor in dismissing the United Front ministry and the central government's support to his action. The governor, in the course of his address, omitted the aforesaid portions of the prepared speech which was objected to by the chief minister. The union law minister, Mr. Govinda Menon, defended this action of the governor on the plea that the governor "was not merely a mouth piece of the council of ministers, he had also to defend and preserve the constitution."

This was in spite of the fact that, according to British convention which is to be followed in such matters where Indian constitution is silent, the governor can't omit any part of the speech from the one prepared by the cabinet. By implication, it means that in governor's address to the state legislature, the governor may refuse to read certain portions relating to centre government's discriminatory attitude towards the state.

Supposing there is a conflict of interest between Punjab and Haryana, will the common governor read self-contradictory addresses. All these aspects need to be considered.

Indian constitution nowhere provides that the governor is to be *bound* by the advice of the ministry. The minister is only to aid and advise him. In case of common governor, he may accept the advice of the ministry of one state and reject the advice of the ministry of the other state.

According to a latest ruling delivered by the speaker of Orissa Assembly, the governor is free to read his address in a language of his choice. Therefore, in case of a common governor, he need not make any effort to try to acquaint himself with the language and culture of Punjab, as he is not to have any special attachment with the state.

You have rightly observed that the proposal amounts to undoing all what "the Akalis had been fighting for since 1947 — separate entity of a Punjabi-speaking state."

The Akali leadership must learn to study the implications of any decision howsoever innocent it may look to be on the surface. So far all the policies pursued by the Akali leadership go against their basic goal of achieving greater state autonomy.

Many Flaws In Sikh Homeland's 'New Definition'

Reference your editorial comment on the front page of the Spokesman dated 8th March, 1971, under the head "Many Flaws In Sikh Homeland's New Definition", I wish to submit the following facts as my personal views:—

Your remarks that Master Tara Singh had once demanded "independence" for Homeland on the pattern of that enjoyed by various Soviet Republics, but he beat a hasty retreat when he realised what a heavy yoke Moscow keeps on their necks," need some further elaboration for proper appreciation Master Tara Singh never said it that the whole of Soviet Constitution should be made applicable to India in its relation vis-à-vis Punjab. What he meant was that in spirit, Sikh state or Punjab (whatever you call it), should enjoy the same autonomy as is enjoyed by the Soviet Republics, with necessary modifications regarding distribution of subjects to be tackled by central government and the state, for the purposes of legislation. Some of the provisions of the Soviet Constitution which can be helpful in determining the relationship of the proposed state are as under:—

Article 13 of the Soviet Constitution says that "The Union of Soviet Socialist Republic is a federal state formed, on the basis of a *voluntary union of equal* Soviet Socialist Republics namely...

Article 15 of the same provides "Each Union Republic has its own Constitution, which takes account of the specific *features of the Republic* and is drawn up in full conformity with the Constitution of the U.S.S.R.

Article 17 provides:—

The *right to freely to cede* from the U.S.S.R is reserved to every Union Republic'.

Article 18 provides:—

The territory of a Union Republic may not be altered without its consent".

Article 18-A says:—

"Each Union Republic has the right to enter into direct relations with foreign states and to conclude agreements and engage diplomatic and consular representatives with them."

Article 18-B reads:—

"Each Union Republic has its own Republican military formations".

Now, what subjects should be banded over to the centre for control is a matter which can be mutually discussed across the table. Demands of East Pakistan and Pakhtoons for autonomy can be kept in view to find a parallel.

Your remarks that "for Sardar Kapur Singh or anyone else to imagine, let alone hope, that the two Punjabs would be reunited in the foreseeable future borders on lunacy," only betrays loss

of restrain and lack of foresightedness. Sardar Patel, the first Indian Home Minister, is on record to have remarked that sooner or later we shall again be united in common allegiance to our country.” Not many years ago, the idea of Indo-Pak Confederation was put forward by Nehru as hinted by President Ayub in his book “Friends, Not Masters”. Each and every Sikh is an ardent support of Sardar Kapur Singh’s views in this regard because everyday he prays for an easy and free access to the Gurdwaras left in Pakistan. As regards our relations with Pakistan, enough to say that these are never perpetual. Germans and the British who had fought two world wars against each other are allies today.

However, I agree that it is not in the interest of the Sikhs to get the demand conceded immediately. They must work to lay a proper foundation for it and then decide whether they can press for its acceptance. It is not correct to say that conceding of demand that “Sikh interests are of special importance”, is in conflict with India’s secular constitution because the special privileges for the Scheduled castes and Tribes and the Anglo-Indian minority provided in the constitution are also based on religious considerations because caste is the gift of Hinduism. But even if it clashes, that is no ground for refusing to consider a genuine demand because after all constitution is not a book of God which can’t be altered. Demand for its redrafting is already gaining popular support.

You will serving a good cause by leaving open the columns of your journal for a free and frank discussion on subject.

(Spokesman 29th March 1971)

Sikh Leadership

In one of my previous letters I had advocated by quoting from the Russian and Indian Constitutions that conceding the demand for autonomous Punjab within the Indian Union is the only way to keep India integrated. The demand for a Sikhs Homeland and self-determined political status raised by Late Master Tara Singh has never received a serious consideration and has met with undue criticism. The demand has a historical background which must not be ignored. I wish to quote a few important resolutions here, so that the Sikh leadership may study their implications in the present context.

In March 1947, the Congress Working Committee had passed a resolution regarding the scope of Constituent Assembly's jurisdiction. It stated that the Assembly's work, was essentially voluntary, involving no compulsion. While it had been made clear that **the Constitution framed by the Constituent Assembly would apply only to those areas which accepted it**, it must be understood that any province or part of a province which accepted the Constitution and desired to join the Union could not be prevented from doing so. Thus there must be no compulsion either way and the **people would themselves decide their own future** (Quoted in *Transfer of Power In India* by E.W.R. Lumby page 141).

This resolution accepts two important rights, namely:—

- i) The Constitution is to apply only to those areas which accepted it;
- ii) The right of the people to decide their own future.

The Sikhs, through their representatives Sardar Hukam Singh and Sardar Bhupinder Singh, having rejected the Constitution by specifically stating that it is not acceptable to them, its implications should be studied in the light of above resolution.

Another important resolution in this respect is the resolution on declaration of objectives, moved by Pandit Jawahar Lal Nehru, on December 9, 1946, in the opening session of the Constituent Assembly. This resolution invited the Assembly to declare "Its firm and solemn resolve to proclaim India as Independent Sovereign Republic and to draw up a Constitution for a Union including the existing British India and the Indian States." It further declared that the various territories of the Union would be autonomous units with residuary powers; that all power and authority would be derived from the people; that justice — social, economic and political — equality of status, of opportunity and before the law, as well as the civil freedom would be guaranteed and secured to everyone; and that adequate safeguards would be provided for minorities, backward and tribal areas, and depressed and other backward classes."

In his introductory speech Pandit Nehru had asserted that this resolution was not part of the Constitution which the Assembly was going to draw up; it was something more than a resolution — it was a pledge and an undertaking, and, be hoped, a dedication. This resolution clearly conceded the autonomous status of the units forming the Indian Union .

The next important resolution on the subject which should be carefully studied in the present context, is the resolution of the All India Congress Committee at its meeting held on 5th January, 1947, which reads as under:—

“The All India Congress Committee realise and appreciate the difficulties placed in the way of some provinces, notably Assam and the North-West Frontier Province, and the Sikhs in the Punjab, by the British Cabinet’s Scheme of May 16, 1946 and more especially by the interpretation put upon it by the British Government in the statement of December 6, 1946. Congress can’t be a party to any such compulsion or imposition against the will of the people concerned, a principal which the British Government have themselves recognised. It must be clearly understood, however, that this (viz. procedure in the sections in conformity with the December 6th statement) must not involve any compulsion of a province, and that **the rights of Sikhs in the Punjab should not be jeopardised. In the event of any attempt at such compulsion, the province or part of a province has the right to take such action as may be deemed necessary in order to give effect to the wishes of the people concerned.**” (See *Transfer of Power In India* by E. W. R. Lumby, Page 132).

This resolution clearly accepts:—

- i) The rights of the Sikhs in the Punjab.
- ii) Right to take action to give effect to the wishes of the people of the province.

It may be argued that circumstances have changed since the resolutions were passed but as Sardar Hukam Singh has very scholarly pointed out in his articles, there is no such change as far as Sikhs are concerned and the only change that has occurred is that the Hindus who had given the above-noted solemn assurances are in an absolute majority which has created a feeling in their power-swollen heads that they have an undisputed right to rule without sharing power with anyone else.

The principle of giving to every ethnological or cultural unit of humanity a homeland, a place with right to work out her destiny unhindered has been internationally recognised and creation of such a homeland for the Sikhs is the only way for the Sikhs to make their impact on the world and to survive politically.

(Spokesman, 9th July 1913)

Policy Plank

Reference your editorial comments “Policy Plank” in the Spokesman dated December 31, 1973 (Guru Gobind Singh Number), I join you in congratulating the Shiromani Akali Dal for making a clear cut enunciation of its policies particularly with regard to future constitution. Let us hope that present leadership will follow this policy consistently and with determination. While making any policy pronouncement in future, its leaders should see to it that it does not contradict the basic policy which has been incorporated in the constitution of party itself and j[does not meet the same fate which the resolution passed at the All India Akali Conference held at Batala to the same effect had met.

If the Shiromani Akali is serious about it (which I still doubt), it should educate the masses about its implications. The resolution needs elucidation which can be made only after detailed study. Akali Dal’s decision to hold an all India seminar on the subject is a welcome step in this regard. But I propose that before that seminar, a committee of lawyers and retired High Court Judges be appointed to make a study of this subject with special reference to Punjab and the Sikhs. Essay competitions and debates be organised to collect maximum suggestions. After all the idea of Pakistan was first put forward by a graduate Muslim student of the Oxford University.

In my previous articles, I had made a few suggestions in this regard by quoting from Indian and Russian constitution. I will like to add some more here.

My first suggestion is that under the proposed future constitution, the provinces must be granted the status of sovereign states and then they should voluntarily surrender some powers to the centre such as defence, foreign affairs etc. as in Canada. In Canada, although the residual power is in Central Government, nevertheless the provinces are sovereign provinces, because those provinces by agreement surrender the residuary powers to the Central Government. It was a surrender. Therefore they still remained sovereign provinces, just as in pre-partition days, Indian states were sovereign states although they had surrendered certain powers to the British Government.

Secondly, it should be left to the provinces to develop their own electoral law, not only for provincial legislature but also for electing their representatives to the Central Parliament.

Thirdly, Rajya Sabha should be replaced by a chamber of nationalities as in Russia. In this chamber, all vocal minorities i.e. Sikhs, Muslims, Christians, Parsis should have equal number of representatives irrespective of their population.

The Prime Minister as the executive head of the government should have the confidence of both the houses separately. The subject is too vast to be discussed here. Let the Sikh intellectuals come forward to chalk out a perfect scheme.

(Spokesman. 14th January 1974)

Akalis And Provincial Autonomy

It is a surprise to note that Akali Party which had demanded provincial autonomy in its election manifesto has welcomed the Central Government's decision to dissolve the nine state assemblies of the northern India. This action of the central government is likely to serve as a precedent for the future and, therefore, Akalis should not have extended blind support without reservations. History repeats itself and those who are wise learn a lesson from the past mistakes. During the pre-partition negotiations for the transfer of power, Akalis by lending blind support to the Congress, lost their bargaining status and they were treated as an appendix of the Congress. The result was that Sikhs were left as orphan in a no-man's land. The present leadership is repeating the same mistake by dittoing all the actions of the Janta Government. The act of dissolution of nine state assemblies on the flimsy ground strikes at the roots of the federal structure of India and those who stand for more provincial autonomy must avail of this opportunity to mobilize public opinion in its favour by criticising this action of the government. Even if expediency demands that such an action should be supported still the better strategy is to make it clear while declaring support that Akali Dal does not approve of this act of the central government in principle but keeping in view the peculiar situation prevalent in the country at present and the fact that the original term of these assemblies had expired, lends its support to such a dissolution with a clear reservation that central government has no jurisdiction to give such an advice to the state ministries until the expiry of their term as duly fixed by law.

In India, the party system prevalent during the past thirty years has been one dominant party system and not a multi-party system. Such a system is never congenial to the welfare of the minorities because the majority community which controls the dominant party can easily ignore even the genuine demands of the minorities. Therefore, the welfare of the minorities lies in development of a well balanced bye party system. The Indian party system at present is in a melting pot and is being reshaped and the minorities must see to it that Janta Party does not simply replace the Congress as a dominant party, Akalis can play an important part by playing an independent role rather than becoming just a wing of the Janta party.

The Muslim delegates to the inaugural Conference of the Janta Party have taken a welcome step by forming themselves into a "Janta Minority Forum" and by demanding proportional representation for the Muslims in allocation of tickets for the State assembly elections. Non-Akali Sikh members of the Janta party should immediately join the forum and The Akali Dal should extend full support to this demand. While doing so Akali Dal must not forget to assert its basic ideology that Sikhs are entitled to special weightage in their dream homeland, Punjab.

Akalis must remember that they can serve the Sikh interests only by playing an independent role and not by depending upon the Janta wave which is illusory. People voted for the Janta party not because they supported its policies but because they wanted to express their disapproval of the means adopted by the Congress Governments. This is evident from the fact that D.M.K. failed to win in the Lok Sabha elections despite of its alliance with the Janta party. One reaches the same conclusion when one analyses the results of Jammu constituency from where the candidate nominated by the Central Janta party lost to an independent Thaker Baldev Singh, nominee of the local Janta party leadership. This clearly shows that local and regional issues have not lost their importance altogether and a regional party can still play an important role.

My suggestion to the Akalis, therefore, is to pause and ponder and enter into any alliance only after proper bargaining. Now the Janta needs you but after it is firmly saddled it may ignore you.

(Spokesman 23rd May 1977)

Swaran Singh Committee's Recommendations

Now that Swaran Singh Committee has recommended that India be declared a Socialist Republic, may I take the liberty to make a few suggestions for amendment of the Indian Constitution to make it a really Socialist Constitution.

One special feature of the Socialist Constitutions is that there is greater regional autonomy for the nationalities living in the country. In Russia where no less than 185 nationalities exist, separate nationalities have been organised into Union Republics, Autonomous Republics, Autonomous Regions and national Areas not the basis of their numerical strength. All nationalities and National minorities have been given full cultural freedom. The rights and interests of the different nationalities are safeguarded in the Soviet of Nationalities, the Upper House of the Supreme Soviet of the U.S.S.R. It will be interesting to note that U.S.S.R was the first to allow a separate homeland to the Jews in its territory. There are four Muslim Republics in the U S.S.R. Similarly, the upper house in Yugoslavia is also called Chamber of nationalities and its main function is to safeguard the rights of the nationalities living in that country.

Therefore, may I suggest that the Rajya Sabha be renamed as House of Nationalities and it should have as its members the representatives of various sub-nationalities elected by them through an electoral college consisting of the delegates of the various cultural and youth organisations in proportion to their strength.

Another feature of the Constitution of U.S.S.R which may be adopted, is that it provides for a nation-wide poll or referendum on the demand of one of the Union Republics. In this way the people are given the rights in certain cases, to adopt or reject bills passed by Parliament on important issues. We should give this right to ask for referendum to our slates so that Parliament may not be able to pass any law ignoring completely the wishes of the people.

All this will help to achieve real unity and make India a fraternal family of nationalities inhabiting this sub-continent.

(Spokesmen, 21st June, 1976)

Swaran Singh Committee Report

It is a welcome step in deed that Swaran Singh Committee has recommended that Indian should be declared to be a Sovereign, Democratic, Secular, Socialist Republic by amending the Preamble to the constitution. A special feature of the Socialist Republics of the world is that there is a greater participation by the common people in the constitution-making process of the country. For example, the first draft of the Chinese constitution, which was completed by the drafting committee in March 1954, was discussed by about 8,000 persons in Peking and other provincial cities. Certain amendments were offered and a revised draft was published In June 1954. It was thrown open to public discussion on a much wider scale. As a result of these public discussions, the draft was again revised and then approved by the Central People's Congress on September 9, 1954. It is a healthy way of attracting people's participation in the administration of the country and it is a pleasure to note that Swaran Singh Committee carried on large-scale consultations with non-official associations such as Bar Association and others.

But it is a pity that Sikh Leadership is not availing of this opportunity by making suggestions to safeguard the interests of the Sikh minority and others. Such opportunities do not come so often. It will be better if Singh Sabha Shatabadi Committee and SGPC, etc. formed a committee of Sikh lawyers to make necessary recommendations.

One field which needs special attention is the method of electoral representation. It is essential in a democracy that each and every section should be properly represented in the Central legislature. Under the present system of voting, a candidate securing 51% votes is elected denying representation to the remaining 49% voters. This works hard against minorities, which, in the words of J.S. Mill, is "contrary to not just government and contrary to the principle of democracy". To remedy this defect in the electoral process, system of proportional representation has been devised which provides a good safeguard for the minorities. But this system by itself is not sufficient to protect the rights of the minorities in a vast country like India where there is dominant majority of one community. The minorities here need some extra weightage and this can be provided through cumulative vote plan which was in vogue in British India in the general constituencies where seats were reserved for the Schedule Castes. Under this system each voter has as many votes as there are seats to be filled up. A voter can cast all his votes in favour of one or more candidates. Thus, a small minority can get its candidate elected by cumulating all votes in favour of its candidate.

Let us not care whether our suggestions are accepted or not. We must remember, however, that nothing is born without crying.

(Spokesman, 7th June, 1916)

Distinct Khalsa Identity

Sir, I had the privilege of attending the seminar organised by Sir Guru Singh Sabha Shatabadi Committee at Patiala on 21st Oct, 1973, as an invitee. I had felt enthusiastic to learn that the Committee had adopted “keeping intact the distinct entity of the Sikhs” as its programme for the centenary year, but I had a shock to see the proceedings. When Bhai Ardaman Singh of Bagrian quoted Guru Gobind Singh ji’s saying that “As long as the Khalsa keeps intact its distinct entity, I shall bestow full glory on them” in his paper, Bhai Jodh Singh, who presided over the session, during his presidential address, accused him of misinterpreting the Guru’s saying. According to Bhai Jodh Singh, it did not mean retention of separate political or social entity but only distinct character and values. If this is the way the Singh Sabha Shatabadi Committee wants to propagate Sikhism, then better if it stops its activities because it is sheer waste of the resources of the community, For such misinterpretations, Government of India is already doing its best through its stooges. Shatabadi Committee while selecting a president and speakers for such occasions should see to it that they are committed to its own views on such fundamental concepts. The stage was occupied and controlled by older generation who lack courage to put forward the community’s point of views in a straight-forward manner. Perhaps we have not learnt any lesson from our past mistakes and we continue to wear the garb of secularism to please our rulers in Delhi. Youngmen present at the seminar were denied opportunity to express themselves and they had to satisfy themselves by indulging in slogan-mongering. People like Bhai Jodh Singh should gracefully retire because they can’t appreciate the changes that have taken place and the sentiments of the young generations. As Sardar Hukam Singh had very correctly remarked in one of his articles while replying to my criticism “there is a gap of no one but two generation between men of his age and the younger generations”. Sikhs must attain and preserve a separate political entity if they are to play their part effectively. According to Guru Gobind Singh “without political power the religion can’t exist.” I wish to make the following suggestions to the Singh Sabha Shatabadi Committee through the columns of your esteemed journal, in this connection.

- (a) To make the Sikhs feel that are a distinct entity proper environment should be created. For this a movement should be started to prevail upon the Sikhs that they should construct their buildings in accordance with Sikh architectural designs. A synthesis of western architecture and Sikh architecture should be developed and promoted so that any passer-by can know that he is passing through a land inhabited by the Sikhs. All Government buildings in the Punjab should also follow this Sikh architectural design.
- (b) All Sikhs owning a car or other motor vehicle should hoist Sikh National Flag, (Nishan Sahib) before their vehicles.
- (c) Smoking should be prohibited throughout the State of Punjab and possession of tobacco and tobacco products should be made a penal offence. If states can pass such laws to stop cow slaughter there is no reason why Sikh sentiments should not be cared for and revered.
- (d) On all the Sikh forts and other Sikh historical buildings, Sikh Flag should be hoisted.
- (e) According to certain historical books such as Sau Sakhi the complete lines of the Sikh prayer are:—

*‘Dilli Takhat Par Bahe Gi.
Aap Guru Ki Fauj
Chhatter Phirega Sis Par,
Barhi Karegi Mauj
Raj Karega Khalsa Aaki Rahe
Na Koe Khawar Hoe Sabh Millenge,
Bache Saran jo Hoe’.*

According to certain scholars all the above four lines were recited by the Sikhs in their daily prayer, until the British annexed Punjab. Then the British banned the recitation of these lines which created a great resentment. Ultimately, a compromise was reached whereby Sikhs agreed to omit the first two lines. Singh Sabha Shatabadi Committee should appoint a committee of young scholars to carry out research on this subject and if the above facts are found true then the first two lines should be re-included in the daily prayer.

(f) It is for the Sikhs themselves to convert a territory within the Indian Union into their Homeland. Sikhs living outside the Punjab should invest their savings in the Punjab and help its development. Punjab & Sind Bank, the only bank run by the Sikhs, should prepare a programme on these lines. This can be the only answer to the Centre’s discriminator attitude in refusing heavy industrial projects to the Punjab. If this programme is taken up seriously and implemented the Sikhs will grow conscious of their identity and other evils will disappear automatically.

(Spokesman, 26th Nov, 1973)

Indian Constitution! How Secular!

The term “secular” according to Encyclopedia Britannica (*Vol. XX page 264*), means ‘non-spiritual, having no concern with religions or spiritual matters anything which is distinct, opposed to or not connected with religion or ecclesiastical things, temporal as opposed to spiritual or ecclesiastical’.

According to the Shorter Oxford Dictionary, secularism means “the doctrine that morality should be based solely on regard to the well-being of mankind of the present life to the exclusion of all consideration drawn from belief in God or in a future state.”

Secularism in these senses requires, in the picturesque phrase of Jefferson, “an impassable wall” between the church and the state. The underlying assumption of the term secularism in this sense is that religion and the state function in two different areas of human activity, each with its own objectives and tools. One must not interfere with the working of the other.

Tracing the historical origin of this concept, V. P. Luther in his book, “The Concept Of The Secular State and India”, writes; “The concept originated during the days of Roman Empire when the Caesars demanded allegiance from their Christian subjects in all walks of their (subjects) life, including the religions. Those Christians who refused to render their religious allegiance to the Caesars, were subjected to severe persecution. It was at that time that its philosophical foundations were laid in a sermon of Christ, recorded in St. Mark’s Gospel (XII, 7) “Render to Caesar the things that are Caesar’s and to God the things that are God’s.”

This became an accepted Christian doctrine and obedience to the command of the ruler became an admitted Christian virtue. St. Paul wrote that civil obedience is a duty imposed by God. This gave rise to the theory of divine right of kings. St. Paul wrote to the Romans: “Let every soul be subject unto the higher powers, For there is no power but of God. The powers that be, are ordained of God. Whosoever, therefore, resisteth the power, resisteth the ordinance of God.”

For some time the Christian Church functioned in close alliance with the imperial authority and the emperors patronised the Church organisation. But soon the Pope began to function as a co-ordinate authority claiming an equal voice in State affairs. The dual authority of Pope and the Emperor, however, created grave confusion in the body politic, and thus arose the complications for Christianity. Christianity failed to capture the State and utilize it for moral and spiritual ends and its ecclesiastical authority refused to renounce politics totally.

In India, Guru Gobind Singh, in his autobiography *Bachittar Natak*, lays down the exact relationship between the Church and the State as follows:—

“Those of Baba (Nanak) and those of Babar (state). God Himself maketh them both. Know the former thus: as the king of Religion and the later as the worldly king. They, who fall to render that what is due to the House of Baba, The minions of Babar seize them and make exactions upon them.”

Sardar Kapur Singh, in his treatise “Baisakhi”, explaining the meaning of above verses, writes:—

There are two forces which claim allegiance of men's soul on earth, the truth and morality as religion (House of Baba) and the state (House of Babar) as embodiment of secular power.

The primary allegiance of man is to the religion (truth and morality) and those, who fail in this allegiance suffer under the subjugation of the state, as they have no courage and hope which is born through unswerving allegiance to religion. The Church must correct and influence the state without aiming to destroy it. The two must exist side by side but the primary allegiance is towards religion, truth and morality.”

The above interpretation shows that while admitting the principle of duality in the spiritual and temporal it also emphasizes the close relationship between the two. Guru Gobind Singh made this link between the church and the state more evident by writing:— “The religion can't survive without political patronage, and without religion there is political anarchy.” It is because religion can't achieve its objective fully if the state is inimical towards it. The relationship between religion and politics is, however, only a brother-and-sister relationship and not a husband-and-wife relationship.

Secularism under Indian Constitution

The framers of the Indian constitution accepted the Sikh approach to state-church relationship. And although surprisingly the word “secular” nowhere appeared in the whole of the Indian Constitution until it was introduced for the first time in its Preamble through 42nd Constitutional Amendment Act of 1975 yet the Indian Constitution came to be known as secular without using this word in its voluminous composition. Sri Ananthasayanam Ayyangar stated in the constituent Assembly on 7th December, 1948:—

“We are pledged to make the State a secular one. I do not by the word secular mean that we do not believe in any religion, and that we have nothing to do with it in our day-to-day life. It only means that the state or the government cannot aid one religion or give preference to one religion as against another. Therefore, it is obliged to be absolutely secular in character.”

But is the Indian Constitution really secular in character as interpreted above? Or did the framers intentionally avoid the use of the word “secular” in it as they were conscious of its characteristics which make it otherwise?

Some of the articles of the Indian constitution make it abundantly clear that it is not so secular as it is proclaimed to be. For example Article 290-A of the Constitution reads as follows:—

“A sum of forty-six lakhs and fifty thousand rupees shall be charged on, and paid out of, the Consolidated Fund of the State of Kerala every year to the Travancore Devaswom Fund; and a sum of thirteen lakh and fifty thousand rupee shall be charged on, and paid out of the Consolidated Fund of the State of [Tamil Nadu] every year to the Devaswom Fund established in that state for the maintenance of Hindu temples and shrines in the territories transferred to that State on 1st day of November, 1956 from the state of Travancore-Cochin.”

Whatever may be the reasons compelling the insertion of above Article in the Indian Constitution there can be any doubt that this provision is directly in conflict with the popular concept of secularism. When the question of secularism was being discussed in the Constituent

Assembly there was a school in favour of India being made a Hindu state. Mr. Lokanath Misra asserted in the Assembly: "If you accept religion, you must accept Hinduism as it is practised by an overwhelming majority of the people of India."

Inclusion of this article in the Indian constitution is significant in another respect too. Those who demand a Sikh Homeland within the Indian Union, have repeatedly declared that they want Sikhism should be given a special place in the state of Punjab and a constitutional provision should be inserted to that effect as it will not affect the secular character of the Indian Constitution.

For example, they quote section 6 of Sri Lanka which provides that Buddhism should be given "the foremost place" and it is the duty of the state to protect and foster it. Commenting on the constitutional provision in the constitution of Sri Lanka, Wilson observes as follows:—

"The implications of this provision can mean no more than what the state has hitherto been doing for Buddhism providing financial subsidies for Buddhist activities and observing a certain amount of Buddhist ceremonies on state occasions and governmental and quasi-governmental functions. But it could add up to very much more if a government decided in earnest to implement it."

Provisions of the Indian Constitution with regard to Anglo-Indians as contained in articles 331 and 333, go against the canon of secularism. In this regard, Art 336 needs an analysis as it contains the future policy at the Indian government towards the religious minorities enjoying dominance in some particular sphere of state services. It reads as follows:—

"During the first two years after the commencement of this constitution, appointments of members of the Anglo-Indian community to posts in the railways, customs, postal and telegraph services of the Union shall be made on the same basis as immediately before the fifteenth day of August 1947.

During every succeeding period of two years, the number of posts reserved for the members of the said community in the said services shall, as nearly as possible, be less by ten percent than the numbers so reserved during the immediately preceding period of two years.

"Provided that at the end of ten years from the Commencement of this constitution all such reservation shall cease."

A study of the above provision clearly shows that the policy of the government is to gradually reduce the number of Anglo-Indians in the aforesaid services and thereby to finish the dominant position which they enjoyed during the British rule.

There is no corresponding provision for the Sikhs in the Indian Constitution but the policy of the government has been the same vis-à-vis them too. Sikhs enjoyed a dominant position in the armed forces because the British admired their fighting capabilities and soldierly skills. But according to new recruitment policy of the Indian government enunciated by the spokesman of the Defence Ministry, each religion is to get recruitment proportionate to its population. According to him, this policy has been implemented since 1953.

Ex-Major General Gurbax Singh, in his presidential address to the convention organised by the Chief Khalsa Diwan at Amritsar on April 28, 1974 to protest against this recruitment policy

summed up the consequences as under:—

“The number of Sikhs in the army at present is 93,000 of which 63,000 were recruited for special regiments while the remaining 30,000 got through general recruitment. If the new recruitment policy is fully implemented then the number of Sikhs in the mixed regimen is, with a total strength of 3,50,000, will be only 7,000 and, thus, their numbers will be reduced by 23,000.”

Another important feature of the Indian Constitution, which makes it unsecular is the provision relating to scheduled castes. For a state to be secular, the various communities living in it cannot be treated as separate entities. But the Indian Constitution extends various concessions to the Schedule Caste Hindus only and not to adherents of other faiths such as neo-Buddhists. Sikh had to struggle hard to win these concessions for the Sikh converts which were conceded grudgingly by Sardar Patel who declared in Constituent Assembly on May 2, 1949 as follows:—

“The Sikhs themselves have thought that certain classes of people amongst them, who have been recent converts, and who are originally scheduled caste Hindus, are suffering from the disabilities which the scheduled caste Hindus are suffering from the fault of the Hindu community.

“The Sikhs are suffering for the fault of the Sikh community, and nobody else. Really as a matter of fact, these converts are not scheduled castes, because in the Sikh religion, there is no such thing as untouchability or any classification or difference of classes.

“Religion is only a cloak, a cover for political purpose.

When these proposals for (inclusion of Sikh Castes into Schedules caste) were brought to us (by Sikh representatives) I urged upon them strongly not to lower their religion to such a pitch as really fall to a level where for a mess of pottage you really give up the substance of religion. But they did not agree.

“These advantages are there reserved for a class of people, and therefore, although there was stout opposition from the schedule caste people, who also naturally feared, and who had a justifiable fear complex, that if they agreed to this or if the House accepts this position, there is really a danger of forcible conversion from their class to the Schedule caste Sikhs, we have accepted it.”

Sardar Hukam Singh had rightly pointed out in the constituent assembly that “if we give concession and certain privileges, certain rights to the Schedule Castes, simply because they are backward, socially, economically and politically, and not because they are a religious minority, then other classes, whatever their religion, whatever the profession of their religion, who are equally backward socially, economically and politically must also be included in the list.’

But as admitted by Sadar Patel, the provision is only a cover for political purpose. Hindu leadership was feeling disturbed by the large scale conversion of Hindu lower castes to Sikhism and Buddhism due to the movement launched once by Dr. Ambedkar and to stop this process of conversions the provisions for economic concessions to Hindu Schedule Castes alone were inserted.

The Sikhs had to pay a heavy price for getting the aforesaid concession for the Sikh

schedule castes. Sikh members of the Constituent Assembly gave in writing to the effect that “the Sikhs will be prepared to give up the reservation in the East Punjab if Sikh and Hindu Schedule Castes are lumped together and seats reserved for them on the strength of their population.” This document dated 10th May, 1949, is signed by Sardar Ujjal Singh, Sardar Joginder Singh Mann, and Sardar Gurbachan Singh Bajwa and was placed on the table of the Constituent Assembly on 14th October, 1949.

In a country, where the political majority is to a large extent, the majority of a community and where religion completely colours and controls the outlook of most of the people, secularism can only be a myth and not a reality. Secularism is a term coined to deny the rights and privileges, otherwise due, to a religious minority in a country. Now that 42nd amendment is being repealed in parts, it will be in fitness of things if the term “secular” introduced in the Preamble is also removed.

Religious Freedom In India

“Whoever, with deliberate and malicious intent of outraging the religious feelings of any class of citizens of India by words, either spoken or written, or by signal or by visible representations or otherwise insults or attempts to insult the religion or the religious beliefs of that class shall be punished with imprisonment of either description for a term which may extend to three years or with fine or both.”

Section 195-A of I. P. C.

Public demand for banning of Nirankari books, “Avtar Bani” and “Yug Purush”; by the Punjab Government has raised an important legal question i. e. what is the nature of religious freedoms guaranteed under the Indian constitution.

Mr. Yagya Dutt Sharma, President of the Punjab State Janta Party, has opposed the demand, saying that his party and its ministerial representatives would not support anything unfair such as a ban on the Nirankari books as party was committed to the Constitution and law that guaranteed to everyone the right to worship. He said. “We cannot back out from the nationally accepted policies of freedom to worship and secularism.”

Let us examine, therefore what is the “nationally accepted policy of freedom to worship and secularism.” The relevant article in this regard is article 25 of the Indian Constitution which reads as under:—

“Subject to *public order, morality* and health and to the other provisions of this part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.”

A glance at the above provision clearly shows that in India, unlike the U.S.A, the right of religious freedom is not unrestricted and the state is clearly empowered to stop any provocative religious activity if it disturbs the public order. In the U.S.A, it was held in the case of *Murdock Vs Pennsylvania* that “the distribution of religious literature is not to be prohibited merely because it is provocative or abusive or because it attacks other religions, as the dissemination of views cannot be suppressed merely because they are unpopular, annoying and distasteful.” But in India it was held “the right to do religious propaganda is subject to considerations of public order and, therefore, when public order is jeopardised, provocative propaganda is susceptible to restraint by the State.”

[1962 (2) Cri. L. I. 564 (Pr. 6) Mys.]]

In India, restrictions have been imposed by the State Governments through various enactments to restrict the religious liberties of the Muslims and the Christians in the name of public order. Therefore, when the Muslims challenged the validity of the various legislations passed by the states of Bihar, Uttar Pradesh and Madhya Pradesh banning cow-slaughter, Supreme Court Chief Justice, S. R. Das, and other Judges. (Mr. T.L. Venkatarama Ayyer, Mr. S. K. Das, Mr. B. P. Gajendragadkar and Mr. Vivian Bose) held, in case of *Mohd. Hanif Quareshi etc. Vs State of Bihar etc.*, as reported in 1958 S.C. 731. that “the sacrifice of a cow on the Bakr Id day is not an *obligatory* act for a Musalman enjoined by his religion and hence the forbidding by law of such

sacrifice of a cow does not amount to infringement of the freedom of religion of Muhammadans under Art. 25 or 26 of the Constitution.” Unfortunately, none of the judges deciding the case was a Muslim who could claim to be a scholar or at least well conversant with the tenets of Islam.

In case of Christian missionaries, the law in India has been rather unsecular. Arunachal Assembly has recently passed a bill, called ‘Freedom of Indigenous Faith Bill’, which prohibits conversion from “one indigenous faith to any other faith or religion by use of force or by inducement or by fraudulent means”. Several M. P’s from all over India, led by Mr. Bakin Pertin of the People’s Party of Arunachal Pradesh and Mrs. Ranp Shaiza of Nagaland’s U.D.P., have strongly opposed the bill. But the contention of the Government is that conversions in the unsophisticated and simple tribal communities of the Union Territory are threatening “social peace and public order.” This measure, which provides for imprisonment of up to two years and a fine of up to Rs. 10,000/- for those who indulge in such conversions, is, in fact intended to stop conversions to Christianity.

The words “force or by inducement or by fraudulent means” are too vague and can be interpreted to suit the whims and fancies of a judge who is most likely going to be a Hindu. No doubt, Christian missionaries offer inducements such as free education, medical aid and a superior social status to win a convert but then are they not within their right to do so and how can it be called a threat to public order?

The act clearly infringes upon constitutional right to practise and propagate a faith of one’s own choice.

The Sikh M.P’s should join Christian minority in India in opposing the bill. According to press reports, the President has returned this bill to Arunachal Pradesh Government, pointing out certain unwholesome features in it.

The Supreme Court has already upheld the validity of similar legislation passed by Orissa and Madhya Pradesh, Nagpur High Court has also held in a case that the use of force or fraud in making conversions from one faith to another would be a practice opposed to both public order and morality and the state may take suitable steps to control or put down such activities. [Sec 1957 MPLJ INag] In the same case, it has been held “the government has a enquire into the activities of foreign missions in India and into the way in which such missions spend their moneys.”

It is a pity that press in India, which is practically monopoly of the majority community, does not protest against undue restrictions placed on the right of Christians and other minorities to propagate their faith. The same press is raising hue and cry in favour of Nirankaris who have, in fact, no religion and are merely members of a right to — pleasure club indulging in immoral practices sometimes.

Religious freedom only means equal treatment of all religions by the ‘State without preference being shown to any one religion or religious denomination. The freedom in this regard, in India at least, is not absolute. In the U.S.A, this freedom is greater in its scope. To quote from an American decision:— “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act, their faith therein.” Thus, U.S. Supreme Court has held that “Compelling school students to salute the national flag when they feel a religious objection to doing so on the ground that it amounts to image worship, which

is forbidden by their religion, is unconstitutional under American Constitution.” [(1942) 319 US 624 (642)].

What will be the legal position in India if the Sikh students or Muslims refuse to salute the national flag on the same ground?

There is no precedent as yet. Although some time back Muslims had refused to participate in singing of the national song, “Bande Matram”, on the same ground.

Now coming to law on the subject of religious literature, the relevant provision is Section 295-A of the Indian Penal Code which reads as follows:—

“Whoever, with deliberate and malicious intention of outraging the religious feelings of any class (of citizens of India) by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years or with fine or both.

Now coming to the Nirankaris book, Avtar Bani, no one can deny that it contains wholesale denunciation and denigration of the beliefs and practices of other religions, especially those of the Sikhs. To quote a few instances: “I used to bathe at Hari Mandir (Golden Temple): got baptised (Amrit Chhakna) at the age of 14; wasted time in reciting scriptures (pothis): had long hairs, an iron bangle, a comb, half pant and kirpans; would repeat the five prescribed texts daily; but “I saw god only from Within the palms of Guru Avtar...” — Hardev Singh again:

“I was a Sikh, did all that is prescribed in that religion, recited the texts, observed the five K’s, did ardas after ardas.... But neither service (sewa) nor prayers nor the nectar of Amritsar and Tarn Taran could cleanse my heart. Sukhmani was of no avail...” —Santokh Singh.

No doubt, the above quotations clearly outrage the religious feelings of the Sikhs and the Punjab Government can order the arrest of the publishers and distributors of this book. But what is the trend of judicial decisions on the subject?

In the case of Chand Singh and other versus The State, reported in 1967 CLJ 72, wherein some police officials were accused of kicking the Ramayana as a result of which its binding was torn and were challaned under section 295-A it was held.

“No, there is no denying the fact that the Ramayana is widely read & Ramlila is celebrated throughout the country, principally by the Hindus and also by the Sikhs. The Hindus and the Sikhs have considerable reverence for the Ramayana. It is in the evidence of Amar Chand. P. W. 24, that on the objection raised by the performers, the petitioners stated that the Ramayana is a fiction and that no Rama was ever born, and after saying so they kicked the book of Ramayana as a result of which its cover and pages were torn. I have, therefore, no doubt in my mind that this act of the petitioners would outrage the religious beliefs of the Hindus and also to a considerable extent of the Sikhs as well, and would fall within the purview of Section 295-A of the Penal Code.”

But in a case, Shiv Ram Das Udasin versus The Punjab State reported in A.I.R. 1955 Punjab 28, the Punjab Government had forfeited to government every copy of the book *Gumat Vichar*

Suraj and challaned its author, Shiv Ram Das, under Section 195-A as passages in his book were considered to be derogatory to the Sikh Gurus and Guru Granth Sahib, the Punjab High Court held that Section 295-A of The Indian Penal Code was not applicable. It said:—

“In order to bring the case within section 295-A, it is not so much the matter of discourse as the manner of it. In other words, the words used should be such as are bound to be regarded by any reasonable man as grossly offensive and provocative and maliciously and deliberately intended to outrage the feelings of any class of citizens of India.

In no part of the book, called *Gurmat Vichar Suraj*,. was there any passage showing disrespect to the Sikh Gurus or the Guru Granth Sahib. The author professed to accept the message of Gurus as contained in Sri Guru Granth Sahib but sought to place his own interpretation on that message. Hence the publication did not fall within Section 295-A.”

Keeping in view the trend of judicial decisions referred to above, it may be concluded that while the Punjab Government is within its rights to ban Nirankari Satsangs which disturb public order, it cannot ban the two Nirankari books. For that, the remedy lies in a legislation prohibiting any unauthorised quotations from Sri Guru Granth Sahib except with the permission of the S.G.P.C. Such a legislation will end conflict with the Nirankaris, the Radhaswamis as well s the Namdharis.

Union Home Ministry And Sant Nirankari Mission

Sir, Government of India has so far not cared to deny the allegation that Nirankari Mission of Delhi is a part and parcel of the internal intelligence wing of the Union Home Ministry and it was sponsored by the Government of India to counteract the activities of Master Tara Singh. It is for the Sikh representatives in Parliament to bring out the truth.

However, there is no doubt that the policy followed by those in power at the Centre towards the Sikhs has been that of “Divide and Rule”. This conclusion can be drawn by anyone reading the correspondence between Nehru and Patel, the two architects of home policy of India which still continues to be followed. One Santokh Singh Vidayarthi, Secretary, All India Nationalist Sikh Party, wrote a letter dated 30th July, 1950 to Pandit Jawahar Lal Nehru seeking his patronage for the nationalist Sikhs. He wrote:—

“I suggest that you should advice your colleagues and through them the officials of your Government that they should in future give proper consideration to the nationalist element amongst the Sikhs.”

Pandit Jawahar Lal Nehru forwarded this letter to Vallabhbhai Patel with a forwarding letter of his own dated 30th July, 1950 which reads as follows:—

“I have suggested to him that he and his colleagues might wait upon you and explain their viewpoint to you. Much that he has written in his letter has weight”

Vallabhbhai Patel in his reply dated 31st July, 1950, addressed to Jawaharlal Nehru, wrote:—

“The question is whether he and his nationalist Sikh friends can deliver the goods. As far as I can judge they cannot. Except for the label, name and occasional statements in the Press the party as such has not made any headway and for all practical purposes cannot be regarded as effective. The answer to Master Tara Singh’s activities cannot come from such a party, but must come from those *who are better organised and more active and can command substantial better following*. I have already had talks with leading so-called Panthic Sikhs who are members of the Congress Party and the indications are that they are going to make a definite stand against Master Tara Singh. *I feel that it is much better to create this opposite than to alienate it. I agree that there are risks in this, but I am sure that by a mixture of alertness and caution we would be able to keep them on the right track.* In any case as far as I can see the nationalist Sikhs will not be able to raise any effective opposition to the Akai Party’s activities.”

All the above letters are printed in recently published Sardar Patel’s Correspondence Vol. 10 Page 449 onward. Sardar Vallabhbhai Patel was the Home Minister of India. Therefore, it is not possible that experts in his ministry taking a clue from him worked for and planned a religious organisation amongst the Sikhs which could command substantial following amongst the masses and could be exploited to counter the activities of the Akalis. Whether Nirankari Mission of Delhi is the brain child or not remains to be ascertained. Government of India should make its position clear in this regard to remove any misunderstanding and doubts.

Sirsa

— Gurmit Singh (Advocate)

Sikh Leadership And Sant Nirankaris

Sir, the misfortune of the Sikhs is that their leadership has always been in the hands of semi-illiterate persons who are mentally ill-equipped to comprehend a situation fully in all its dimensions and to provide proper guidance to the masses. The result has been that while the masses have always made tremendous sacrifices, the results achieved and ultimate gains have been poor. Ian Stephen, the well-known British Journalist, correctly brings out this weakness of the Sikh community in his book, *Pakistan—Old Country New Nation* at pages 165-66 when he writes:—

“But in modern times, their (Sikhs) political leadership has often been poor, partly because their numbers are small, but also because their talents are of a markedly practical, go-getting sort. As a result of this second factor, their ablest men, the cream of the community, are continually being skimmed off into lucrative activities outside politics. Thus when in 1947 they were faced with the need for great decisions calling for the utmost sagacity, most of these able men were not available, they were fully pre-occupied elsewhere, in government service, military or civilian, or in prosperous business. Politics among Sikhs has in recent years been a profession which got not much more than the leavings.”

“Further, though Sikhs throughout the centuries have often shown remarkable cohesion, they have seemed to achieve this in some intuitive way. As Spear puts it, their rise to power during the middle of the eighteenth century was rapid but disorderly; no strong chief existed to check them, but no accepted-leader directed their movement. Even Ranjit Singh did not claim the despotic sway of a traditional monarch; to the end, though taking the title of Maharaja, he claimed to be no more than the general of the Khalsa; he was, in some sense its elected chief.

“When formal decisions have to be taken Sikhs in theory at least take them democratically. Compromises must be reached; other men, besides the knowledgeable or eminents, must get their say. Western sentimentalists sometimes enthuse over the Jat Sikhs peasant on his flat Punjab fields or, for that matter, the tribal Pathan, fingering a trigger on a Waziristan precipice-edge, finding them, in their rough respective ways, fine democrats; embodiments of a Greek ideal. But healthy democratic feeling among ploughmen or goat-herds perhaps has not assisted the Sikh or Pathan people, any more than it did ancient Greeks in their little city-state.; in deciding big urgent problems wisely.”

Ian Stephen's above analysis remains true even today and fully applies to the present-day leadership of the Sikhs.

Unfortunately, for the community, the leadership has been not incompetent but also insincere. To quote late Sardar Khazan Singh, well-known author of *History & Philosophy of the Sikh Religion*; from his letter dated 7th /9th September, 1947, addressed to Master Tara Singh.

“The intelligentsia of the nation has ever been and is still kept out of the top institutions to the serious prejudice of the Sikhs.

“From what I have observed, I am afraid that some anti-Sikh spirit is working in, with or behind our leaders who are working in friendly garb in conspiracy with the enemies of the Khalsa as was the case during the Sikh Raj after the Lion of the Punjab and during The Akali movement

as Lord Hailey had told me once.”

Any keen observer of Sikh politics will be convinced of and reach the same conclusion regarding the present-day Sikh leadership. The role which they are playing in handling the Sant Nirankari problem is most dubious. Earlier, they organised Shaheedi conferences and exhorted the Sikh masses to act against the Sant Nirankaris. Lakhs of rupees were collected at these conferences from the innocent masses. Now when the people have organised themselves for the purpose and have started obstructing the Sant Nirankaris from holding their meetings the leadership, being worried about its ministerial chairs, have become protector of the Sant Nirankari and has ordered arrests of those who want the activities of the Sant Nirankaris to be stopped in the State. The masses have been misinformed and misguided by the leadership for its own selfish ends and now they are being betrayed.

The anger and resentment of the Sikh masses over the Amritsar episode ought to be directed and channelised towards the real culprits i.e., the rulers of Delhi who, immediately after the occurrence, extended protection to the murderers and did not co-operate with the Punjab Police in executing the arrest warrants against Gurbachan Singh issued by a Judicial Magistrate in due course of law. Diplomatic passport of Gurbachan Singh ought to have been cancelled by now and the Union Home Minister ought to have made a statement on the floor of the Lok Sabha that the Amritsar episode and government's policy toward the Sant Nirankari movement with special reference to private army maintained by its so-called Baba.

We must remember the basic principle of politics: “Snakes can't be killed unless they are made to come out their pits”. as propounded by Mao Tse-Tung of China. Only an open debate can let the Sikhs know who their friends are and who the enemies of the Panth are.

Those, who are demanding the sealing of Nirankari Bhavans by the government must know that no government under the law can do so. Proper strategy is to extend patronage to the genuine Nirankaris who have their head-quarters at Chandigarh. These genuine Nirankaris should be actively helped to strengthen their organisation in various towns of Punjab and to expose the misdeeds of the Sant Nirankari Mission of Gurbachan Singh. As the various Nirankari Bhavans are the property of the Nirankaris, genuine Nirankaris have a right to hold their congregation in these Nirankari Bhavans. And in case they are obstructed and likelihood of breach of peace occurs, government will have to step in to attach these Bhavans under section 145 CrP.C. as its legal obligation.

Practical insight is needed and the enthusiasm amongst the masses, which has been created by the sacrifice of the martyrs at Amritsar on last Baisakhi day, must not be allowed to diminish through ill-conceived policies and actions.

— Gurmit Singh Advocate Sirsa -125055

Sikhism And Caste Distinctions

Indian politics is in ferment again. Important events are taking place which need a close and cautious watch by the Akali leadership.

During the emergency Indira Gandhi had become a captive Prime Minister in the hands of the caucus and all the excesses that were committed during emergency were well-planned with a view to alienate the various sections of society from the Congress Party. Central leadership watched it like a helpless spectator. What were the forces controlling the destiny of this nation during that crucial period have not been named or unmasked so far and those who are being named are only the puppets who danced at the movement of strings held by those forces. The result was a “democratic revolution” a new experiment indeed in these days of military coups. The poll results showed political polarisation on geographical basis i.e., north supporting Janta and south going with the Congress. This is a new feature in the Indian political system. Influence of regionalism has been a peculiar feature of American politics. There are certain states which are Republican and there are some states which go completely with Democratic Party. The Democratic Party there has its hold on the states of the south while the Republicans have a stronghold on the Northern Great plains.

Since the time of Janta Party coming to power at the Centre, a counter revolution is in the making. In everyday events, “class war” aspect is being emphasised. In India due to lack of heavy industrial concentration there are no well-organised economic classes like the capitalist and the bourgeoisie. But we have our traditional classes i.e., Swarns and the Shudras. These two classes nurse hatred and jealousy for each other and have an all India base. Therefore, any power planning a counter revolution on class war basis can easily exploit this traditional division.

It is in this light that we must look at the atrocities on Harijans everywhere, clash on reservations in Rohtak Medical College or “Dalit Panthers” fighting in streets of Agra town, or Aurangabad in Maharashtra over the renaming of a University.

In Punjab we have a peculiar condition. Sikhs Gurus eliminated caste distinctions and Sikh peasantry is most liberal in social altitudes. So much so, that Sir Shadi Lal Chief Justice of Punjab High Court in a judgement classified Sikh Jats as Shudras because they frequently marry the Shudra ladies. There is no jealousy or hatred on caste basis among the people of Punjab. Therefore, any class war on caste basis is likely to fail in that state. But as Punjab being part of India cannot remain aloof from the national mainstream, therefore, Akali leadership should keep a watch on this aspect. Akalis should pay more attention to scheduled castes in the state but this should be more at a religious level than at a political level so that it dose not give rise to any adverse hostility amongst the other classes. Active participation by scheduled castes in religious congregations and religious ceremonies should be encouraged so that it may promote a feeling of fraternity. Efforts to improve economic lot of these classes should also be made by the S.G.P.C. and other Sikh foundations and the state government should supplement them with liberal grant. Sikhism provides a key to “co-existence” like members of a family.

Those who treat the present events like crisis of identity which occurs in the process of nation-building are certainly mistaken. A counter revolution is in the making and we must prepare ourselves to adjust in the changed circumstances. **The “Spokesman” 28th August, 1980**

Present Akali Leadership

Recent events in Punjab have brought out clearly intellectual bankruptcy of the Akali Leadership. Baisakhi episode at Amritsar on 13 April, 1978 which resulted in as many as 18 deaths should have shaken the Sikh Community from its slumber, if only Sikh leadership had risen to the occasion and provided the Sikh anguish the proper direction. But instead the Sikh leadership not only proved to be confused but also selfish, more anxious to cling to political power, thus a great opportunity has been lost.

Even three days after the occurrence the Akali leadership had not decided its strategy and the Working Committee of the Shiromani Akali Dal which met at Amritsar on the 15th of April ended with demand for a judicial enquiry into the incident subsequent, somersault, has only weakened the Akali stand. It clearly shows that Akali leadership did not bother to consult its legal advisors.

Failure of Punjab Government to execute arrest warrants against Gurbachan Singh has further exposed the Akali ministers to the charge that they are only befooling the masses through slogan-mongering and are not sincere in their act. The whole strategy of the Akali leadership in Punjab is to defuse the public anger and resentment against the Nirankaris. There can't be a greater disrespect to the Sikhs than that fact the Morarji Desai should plan to go out of Delhi while lakhs of Sikhs had come to Delhi from far-off places to present their memorandum of demands. But instead of expressing resentment and compelling Morarji Bhai to come back, the Akali leadership pocketed the insult silently and conspired with Delhi administration to change route of the procession to enable a secretary of the President to receive the memorandum. This cowardly act of the Akali leadership encouraged Chief Commissioner of Chandigarh to refuse to come out of his office to receive memorandum from the Sikh demonstrators. Youth of Chandigarh proved more self-respecting and what followed may be unfortunate but correct expression of righteous indignation.

Moneys are being collected to raise memorials to those who died at Amritsar on April 13th. Of what use are these brick structures if they can't inspire the true spirit of sacrifice? The Golden Temple itself is a memorial to Sukha Singh Mehtab Singh calling upon the Sikhs not to pocket the insult of their Gurus and to punish the culprits. Instead of building memorial of bricks and clay, make the Sikhs conscious of their heritage and infuse in them the spirit to re-enact the heroic deeds of their ancestors.

What happened on 27th June, 1978 at the residence of Jagdev Singh Talwandi shows the frustration that is overtaking the Sikh youth. History is repeating itself and Teja Singh, Lal Singh under different names are out to sell the community again. The Sikhs need another Sham Singh Attarewala to appear on the scene and take command of the community. This is the need of the time.

The "Spokesman" 31st July, 1978

Sikh MPs

The Parliament is holding its monsoon session from 17th July and this session is going to be important in view of the important political developments which are likely to result in realignment of political groups and parties within the country. Representatives of the Sikh community, therefore, must remain vigilant to avail of any opportunity that may offer itself.

But there is a persistent complaint against the Sikh M.Ps that they do not actively participate in the discussions. The grievance is genuine in as much as none of the Sikh M.Ps raised the Nirankari issue in Parliament in spite of the Amritsar episode. There is a growing impression amongst the Sikh masses that Nirankari Mission of Delhi is a brainchild of the internal intelligence wing of the government of India and its activities are financed by the Ministry of Home Affairs. Several responsible leaders have repeated this charge publicly. It is, therefore, the duty of the Sikh members of Parliament to ask the Home Minister to make a statement on the subject and to compel him to place relevant documents on the table of the House.

Resignation of Minoo Masani, Chairman of the Minorities Commission, is also likely to figure during the session of Parliament. The report of the Minorities Commission adopted at the meeting of 25th May, 1978 at Bombay is also likely to be placed before the House. It will be an opportunity to tell the government what the minorities in the country feel about the policies of the Janata government. Our representatives should be bold and straight-forward and should not mince words.

I conclude by quoting Abraham Lincoln:— “To sin by silence when they should protest makes cowards of men”.

The “Spokesman” 24th July, 1978

Akali Leadership

Akali leadership has failed again. It is because its policies are too much centred on narrow gains and lack foresight. It failed to protect the interests of the Sikh minority in Haryana and all attempts are being made to by Akali leaders to underplay significance of the event at Pundri where four Sikhs embraced martyrdom at the hands of Haryana Police while attempting to carry food for their Sikh brethren surrounded by the police from all sides which was determined to starve them to surrender.

The event is no less historic than '*Saka Panja Sahib*.' Strategy of the government seems to be to keep the Sikhs occupied with trifles and not to allow them to think of their long-term interests and in this it has succeeded.

Judicial Inquiry is not going to serve any useful purpose. What is needed is to incorporate the events in the Sikh heritage so that coming generations may know about their real history. Sikh Ardas certainly needs a revision. National consensus is a slow process. The psychological make up of the people goes on shaping and reshaping itself under the stress of and in reaction to political events. To guide and lead the masses in this respect is the duty of the leadership.

Akali leadership appears to be bungling in the matter of fast by Mahant Sewa Das. They have disassociated themselves from it under the plea that they want to arrive at an amicable settlement through negotiations. A welcome trend in Sikh politics, indeed! But they forget that to achieve something through negotiations, it is necessary to identify the crucial structures in the political realm where decisions are made and to analyse the decision-making behaviour. It is the political environment, in which negotiations are held, which influences the behaviour. Therefore, a peculiar tempo needs to be build up to make the other side concede certain concessions under its stress.

Moreover, in case of Akali politics, it is always a case of quasi-negotiations in which full agreement is the last thing any of the parties want to reach, although neither of the parties wants to give the impression that there is complete deadlock. Akali Leadership, while treading the path of negotiations, should not forget that fast and agitations do serve the useful purpose of providing fire cover.

The Akalis must plan their ultimate objective and then lead forward towards that goal slowly and steadily.

The "Spokesman" 27th February, 1978

Scope For Sikh Missionary Work Amongst Muslims

Guru Arjan had urged the Sikhs to translate Gurbani in all foreign languages and had assured them that it will soon spread in the whole world as oil spreads over water. But the Sikhs did not act upon the Guru's advice and, thus, belied his expectations. The result is that Sikhism, which has a universal appeal, is little known abroad.

No doubt Sikhs are growing conscious of this deficiency but still the efforts made in this direction is limited in its scope inasmuch as no serious plans or efforts are being made to introduce Sikhism to the Muslim youth. Distorted versions of events of the events happening during the Muslim rule in India have prejudiced the Sikh mind so much that any approach in this regard is looked upon with suspicion.

The followers of prophet Mohammed living in India, China, Pakistan, Indonesia and Malaysia alone total more than 255 million people and most of them do not have the elementary knowledge of Sikh religion. Keeping in mind the psychology of an average Muslim, no doubt, the task difficult and may be even unfruitful in the initial stages but a persistent effort is bound to show remarkable results.

India

The Muslim population in India is over 50 million. Creation of Pakistan has had a demoralizing effect on this population and most of them are living cut off from the current of national life. They have their grievances but like a demoralised minority they fail to fight for their removal. Sikh association with this community can serve as a moral booster. To give a proper direction to this association, Sikh-Muslim friendship societies can be organised in all important towns. These will be non-political societies which will work to bring the two communities socially and culturally nearer to each other. Through such societies, efforts can be made to educate the members about the two religions, with particular stress on underlying unity. It will help create an atmosphere of mutual regard for each other's faith.

Another source are the "Ahemadis" of Qadianies. Their founder was born at Qadiadian in Punjab. He respected Guru Nanak as a Nabi i.e., a messenger of God and has praised him in his writings. They believe that Mohammed was not the last of the prophet and God continued sending prophets thereafter. Guru Nanak to them was one such prophet who was sent after Mohammed and thereafter came their won founder Hazrat Mirza Ghulam Ahmad.

Ahmedies are spread all over the world and number several million. They collect in large numbers at Qadian in District Gurdaspur on the occasion of annual Urs of their founder. People from several countries come to attend it. There is little Sikh participation, although this functions can be utilised for exchange of views and developing cordial relations. The organisers of this function are liberal minded educated people who welcome participation by people of other faiths, particularly Sikhs.

Pakistan

Out of the total population of about 94 million there are about 83 million Muslims.

Although Pakistan is a Muslim State with Islam as its state religion, it must be remembered that it was not orthodox Muslims who fought for Pakistan but rather a more broad-minded educated group who wanted the land to be modern and progressive. Mr. Jinnah had assured all safeguards to the non-Muslim population of Pakistan. There are about 3,00,000 Christians, besides about 700 Christian missionaries.

During my visit I noted curiosity and urge among the Muslim Youth to know about the Sikh faith. No literature on it is available there, although it can be easily exported through Iran. Some good books on Sikhism can be reprinted in Iran and from there sent to Pakistan without flouting any legal restrictions. Gifts of literature can be sent to schools and college libraries in Pakistan through visitors. Ahemadies living in Pakistan can be of great help in this regard.

Recently during Guru Nanak Quincentenary celebrations, Ahemadies living in Pakistan brought out a book “Guru Nanak Ka philospha Tohid” in Urdu. This is a scholarly work although written from subjective point of view.

Muslims in Pakistan are divided into four or five powerful sects which are in competition and opposition with one another. Islam is not so strong a force with the modern youth and a sincere and affectionate Sikh approach may produce remarkable results. The modern trend among the Muslim Youth in Pakistan is towards progressiveness, open mindedness and liberalism.

For this we need some devoted Sikh missionaries who were born in the areas now forming Pakistan but now hold citizenship of a country friendly to Pakistan. They should identify themselves with the local population of Pakistan and try to gradually win their confidence.

Indonesia

Indonesia, the fifth largest nation of the world in population, has about 95 million Muslims. A study of the converts to Christianity during recent years shows growing dis-satisfaction of the people with Islam. During 1966 alone more than 54,000 Muslims, became converts to Christianity. This shows that it is a fertile place to propagate Sikhism and win converts. A planned concerted effort should be made, although odds may be a bit heavy because regional government there discourages such efforts, although the Central government guarantees freedom of religion.

Ancestors of the Indonesians were Hindus and, therefore, Sikhism can have a special appeal, if it is properly propagated. People, although Muslims, still follow many Hindu and Buddhist rituals.

Malaysia

There is no scope for winning converts in this country because law here prohibits the propagation of any faith other than Islam amongst the Muslims. However, in Thailand there is no such restriction and hundreds of Malaysians visit this country every month. Sikh literature can be distributed amongst them. It may produce some effect at least in spreading knowledge about the Guru's mission. A large numbers of Sikhs reside in Thailand and some of them should be made to undertake this mission.

Sikhism has a special appeal to the Muslims because, most of its doctrines are identical with

Islam and it can be presented in a form which in no way offend or hurt the existing notions of an average Muslim.

The S.G.P.C. should chalk out a plan in this regard and suitable literature in foreign languages besides Persian, Urdu and English should be brought out and liberally distributed.

Janta Party And Akalis

Now that the elections are over, it is the right time that its various aspects are analysed from the Sikh point of view.

In these elections, Janta Party supported Akali candidates in nine out of the 13 constituencies in Punjab, even in the remaining four constituencies, Akalis had the final say in selection of candidates. Thus it is for the first time that an all-India party i.e. Janta Party has conceded in principle that Punjab is the dream homeland of the Sikhs and they are entitled to some special privileges in this state.

Again, it is for the first time that a Sikh has become elected member of Parliament from Haryana state. This amounts to partial fulfillment of Akalis demand that Sikhs should get proportional representation in states other than Punjab.

However, it must be remembered that these gains need to be consolidated. One way to do it is that proper conventions in this respect be developed. A chapter, laying of conduct for political parties, be included in the Constitution and the above said two privileges be incorporated therein in some form. These will, however, be only directive principles for the political parties and will not be judicially enforceable. So long as men like Mr. Jaya Parkash Narayan dominate the political scene, the verbal assurances in this regard may have some value but thereafter it will be living in an ivory tower to believe that these assurances without some statutory guarantees will become conventions.

Another aspect of these elections is that there has been polarisation not only amongst the political parties but also amongst the regions. The south has solidly voted for the Indira brand of socialism while the north has overwhelmingly voted for democratic liberalism. It means that regional peculiarities continue to be an important factor. Therefore, Akalis must continue to concentrate on the regional problems and must not ignore the interests of Punjab to win all-India acclaim.

Representation in the Central Cabinet should be exploited for strengthening the roots of the Akali ideology and programme in the state of Punjab. Decision of the Akali Party not to merge with the Janta Party is a wise step. Akali Dal has some history and traditions behind it and this heritage should be preserved. Even the Parliamentary Wing of the Akalis should work as pressure group within the Janta Party. Akali leadership should build its own image and should not continue to depend upon the mass appeal of Janta Party leadership.

Mr. Morarji Desai, in his broadcast to the nation, has assured the people of the South that his party will not discriminate against them in any manner to remove their apprehensions. It is suggested that a provision be made in the Constitution that no law enacted by the Lok Sabha will be applicable to a state unless it is also approved by the majority of the members of Parliament from that state. This will meet to some extent the demand for provincial autonomy raised by some parties in their election manifestoes and supported by stalwarts like Babu Jagjivan Ram during election campaign.

The flag adopted by the Janta Party must cause some alarm amongst the minorities. It

omits the white colour from the tricolour flag of the Congress, the other two colours in the flags being almost the same. This white colour is considered to be representing the minorities other than the Muslims. May be that omission is innocent but keeping in view the fact that Jan Sangh is the major constituent in Janta Party, which had a reputation for preaching so-called Indianisation ideology, the apprehensions in this regard must be immediately removed by suitably amending not only the Janta Party flag, but even the national flag, to make it look more representative of the Indian population.

Further, Akali ministers in the Central Cabinet be permitted to hoist their own party flag along with the national flag on their official cars. Janta Party must respect sentiments of the minorities and try to keep them satisfied by conceding their just demands. It must show a big heart while playing the role of a big brother, Choudhery Chand Ram, a Janta Party member of parliament from Sirsa constituency, addressed the members of Sirsa Bar Association along with Choudhery Devi Lal, during his election campaign. In his speech, he referred to the Akali manifesto demanding review of Ravi-Beas Water Award and tried to assure the people of Haryana that such a review will not take place as the number of Akali members in the Parliament was not likely to be more than eight. When he invited questions from the lawyers, I asked him whether he wanted to say that demand by eight members would be rejected on the basis of sheer numbers and not merit, particularly when he was himself criticising Indira Gandhi for destroying the democratic setup inside the Congress party. Then Mr. Chand Ram realized his mistake and changed his stand by adding that what he meant was that the majority of the Janta Party members would convince through persuasion, the Akali members not to press their demand in this regard and thus the matter would be settled mutually and amicably, Therefore, I suggest that Akalis must remain on their guard against any underlying mentality.

While Akalis must be congratulated for taking the oath of loyalty to the party before the holy Granth Sahib at Gurdwara Sis Ganj in New Delhi, their act of joining the Janta members at subsequent oath-taking ceremony at Rajghat must be condemned. Sikhism does not approve of showing special sanctity to a grave or Smadh and even Guru Gobind Singh was fined by the Khalsa for his act of saluting the grave of Muslim Saint Dadu which he did to test vigilance of his followers.

Sikh Education Conference held at Kanpur a few years back had specifically drawn the attention of the Sikh V.I.Ps towards this fundamental problem of Sikhism.

As the legislative workload is likely to be heavy for the new parliament, the Akali parliamentary wing should set up its own secretariat at Delhi to analyze for it the implications of the various bills for the Sikhs and people of Punjab. It may be staffed by part-time journalists and lawyers, besides a few retired bureaucrats.

Let us not forget that this is only a transitional stage in Indian polity and important developments are yet to take place.

(The Spokesman, 25th April, 1977)

Akali Leadership And Sikh Interests

Sir,

You have done a yeoman service to the community by pointing out the passive role of the Akali M.Ps during the first session of the Indian Parliament. None of them cared to express the demands and grievances of the Sikh people whose interests they profess to safeguard. You have rightly stated that the Akalis were completely ignored in the selection of the Presidential nominee, although smaller groups were even consulted in the matter.

The reason for the failure of Sikh Leadership has always been its failure to pre-plan its objective and the strategy to achieve it. They have always acted as an appendix to a dominant party, with the result that their support is always taken for granted and they are ignored by all. Sikhs have a valid claim to Presidentship of India because while conservative Hindus like Dr. Rajindra Parshad and Dr. Radhakrishnan and staunch Muslims like Dr. Zakir Husain and Fakhruddin Ali Ahmed have held this exalted office. Sikhs have been denied this privilege. This time electoral college was equally divided between the Janta Party supporters and the pro-Congress members and with a little bit of assertion, diplomacy and bargaining a Sikh should could be elected President. But even if it conceded that there was no chance for a Sikh nominee to be elected, token contest put up with the help of some regional parties like D.M.K., A.I.D.M.K. and National Conference would have highlighted the Sikhs' aspirations and resentment. We must not forget that nothing can be achieved without crying.

Now that Mr. Sanjiva Reddy has been sworn in as President, Sikhs should set their eyes on Vice-President's office when Mr. Jatti retires in two or three years. By convention, the next Vice-President will be from Northern India, as Mr. Reddy comes from South.

There have been repeated demands from the Janta Party leaders, including Prime Minister Morarji Desai and Party President Chandra Shekhar that the Akalis should merge with the Janta Party. As the Akalis are partners to the Central Government led by Janta Party and are also running government in Punjab with the support of the Janta Party, There seems to be some force in this demand of the Janta leaders. But a more realistic and practical approach needs to be adopted in this regard.

Punjab is a state where the Sikh interests are of paramount importance and the Akali Dal, being the only representative political organization of the Sikhs, is entitled to recognition as such. Therefore, Janta units in Punjab should be abolished and Akali Dal should be recognised as an affiliated body of the Janta Party. No person from Punjab should be allowed to become a member of the Janta Party unless he is enrolled first as a member of the Akali Dal. Such a system is prevalent in Britain, where a person can become a member of the Labour Party only by being a member of another organisation mostly trade unions-affiliated to the party. Individual membership was not initiated there till recently.

Akalis have so far failed to chalk out an independent programme of their own. Sardar Badal's pronouncements that his programme is "corruption Hatao Te Pani Wadhao does not inspire much. Almost a saturation point has been reached in agricultural development in Punjab and what Punjab needs today is industrial development to support agricultural production. Giani Zail Singh realised this and during his tenure, Punjab made some progress in industrialisation of

the State. Akalis must not ignore this important aspect to boost the state economy.

Political atmosphere for the demand of greater state autonomy was never more congenial than now. Regional parties have received a big boost during the recent elections. A.I.D.M K. In Tamil Nadu, National Conference in Kashmir, C.P.M. in West Bengal. Maharashtra Gomantik Dal in Goa, Akali Dal in Punjab stand publicly committed to greater state autonomy. All these parties have been returned to power in their respective states by the electorate as an approval of their programme in this regard. Akali leadership should take proactive steps to bring all these parties together to make a forceful demand for more state autonomy.

Important national leaders such as Defence Minister Jagjivan Ram and Jayaprakash Narayan stand already publicly committed to decentralisation of powers and, therefore, their blessings should be secured.

Akali Dal should appoint a committee of constitutional experts to recommend amendments to the Indian constitution from the Sikh point of view. D.M.K Government in Tamil Nadu had some years back appointed such a committee which was known as Rajamannar Committee and its recommendations may be treated as spade work for further study from Sikh point of view.

Akalis should not ask the Parliament to enact All India Gurdwara Act because once the right of the Parliament to enact it is conceded, right to amend or alter the same automatically vests in it and it has serious consequences because it amounts to surrendering the sovereignty of the Sikh people in the matter of their religion to an outside agency. Therefore, S.G.P.C. itself should enact the legislation and Parliament should be asked to ratify it like a treaty to give it the force of law. Parliament should be denied the right to amend any part of the proposed draft.

Internal rift in the Janta Party, for instance between Chaudhary Charan Singh and others, is likely to another opportunity to bargain and to get their demands conceded and it is for the Akali leadership to keep ready for it. Sardar Badal must be congratulated for getting the status of second language for Punjabi in Haryana State. It is an example of successful diplomacy but he must watch against any traps that may be laid to make him agree to sharing of canal waters and boundary settlements.

I was surprised to read the statement of a Punjab Minister that if states are permitted to enter into commercial agreements with foreign firms directly then they can develop Punjab like Canada and Japan. Such a power is already available to the states under the constitution and D.M.K. Government had entered into such agreement some years back. Mr. Morarji Desai, then as Finance Minister of India, had upheld this right of the states on the floor of the House when the matter was raised by some members in Parliament. Akalis must study the existing powers of the states under the present federal system and exercise these powers to assert the autonomy of the states.

Dr. Ambedkar while explaining the relationship between centre and states under the Indian constitution had declared:—

“It establishes a dual polity with the Union at the Centre and the States at the periphery, each endowed with sovereign power to be exercised in the field assigned to them respectively by the constitution. The Union is not a league of States united in a loose relationship, nor are the States the agencies of the Union deriving powers from it. Both the Union and the States were

created by the constitution, both derive their respective authority from the constitution. The one is not subordinate to the other in its own field. The authority of one is co-ordinate with that of the other.”

Akali leadership is facing a test. It can make or mar the future of the community. They must think and ponder, otherwise future generations will never forgive them.

The Spokesman, 21st May, 1977

Akal Leadership

Apprehension expressed by me in my previous letter on Policy Plank (Spokesman – 14th January) seems to be proving true. Sikh leadership seems to be confused again. Jathedar Jiwan Singh Umranangal, Secretary of the S.G.P.C. and an important leader of the Akali Dal has been detained by the Punjab Government under Maintenance of Internal Security Act on the ground that he has tried to disturb communal harmony in the state by threatening to use sword and fire for achieving Sikh Homeland.

Akali leadership lost no time in disassociating itself with the demand for a Sikh Homeland made by Jathedar Umranangal. Akali Dal has not cared to seek clarification from the Jathedar about his demand i.e., whether he wanted it within India or outside. It is evident that he did not demand secession from India because otherwise he would have been charged under the laws enacted for the purpose after the Constitution (Sixteenth Amendment) Bill which enabled Parliament to make laws providing penalties for any person questioning the sovereignty and integrity of the Indian Union. Therefore, if Sardar Umranangal has only demanded a Sikh Homeland within the Indian Union, then the demand is perfectly in accordance with the Akali Dal's programme of achieving provincial autonomy. By disassociating itself with the demand for Sikh Homeland, Akali leadership has gone astray from its declared goal and has fallen into the trap laid by the shrewd Hindus.

Similar confusion seems to be prevalent in the Akali leadership about its approach to the coming assembly elections in U.P. this being the largest province of India, the results there will have far reaching effects. Akali Dal by declaring its unreserved support for BKD and opposition to the Congress, recently at Muktsar has shown undue haste in making a crucial decision. Akali Dal should have studied the strategy and programme of each party and then seen its implications for the Sikhs. Following factors should have been kept in mind:

For a small minority like the Sikhs, absolute majority of one party and consequent political stability are never beneficial. Therefore, Akali strategy should be that none of the parties achieves majority by itself to form a government. A coalition government is more considerate towards a minority than one party government.

Secondly, Akali Dal should work for the success of maximum number of Sikh candidates irrespective of their party affiliation, so that a Sikh may find representation in the ministry, whosoever may form the government.

Congress is still a force and although it is unlikely to capture absolute majority in UP this time, still it is likely to come out as the single largest party. In the present ministry it has granted representations to the Sikhs. Sheikh Abdullah, while canvassing for the Congress candidates has also advocated for reframing of constitution with more autonomy for states. Therefore, hands of people within Congress who hold similar views should be strengthened. Therefore, strategy should be to reduce the strength of the Congress but to work for the success of Sikh and Muslim candidates contesting on its ticket.

BKD offers little attraction for the Sikhs. It derives strength from its appeal to Jats on the racial grounds. But its top leader, Chaudhri Charan Singh has been a champion of the demand for

greater Delhi i.e. merger of Agra and Meerut Divisions of UP with the area of old Delhi, with a status of a full-fledged province. Revival of this demand can be useful to the Sikhs because bifurcation of UP will help decentralisation of power at the centre. Therefore, the party should be supported in the above-said two divisions except where its candidate faces a challenge from a candidate of the minority community.

CPI (M) in its election manifesto has demanded more political powers for the state. It is also likely to prove a good ally for the Akalis in any future elections in Punjab. Its leadership is not opposed to a Sikh Homeland within the Indian Union. Therefore, Akali Dal should work for the success of this party.

In its election manifesto, Swatantra party has demanded more economic powers for the states. It has no popular base in UP or Punjab. Therefore, only limited support can be lent to it at a few selected seats where it may have a chance to win.

Both Muslim League and Muslim Majlis profess to fight for the right of the Muslim minority. Therefore, Akali Dal has much to gain from their success. Full support should be lent to them.

Jan Sangh and Hindu Maha Sabha are Hindu communal parties and therefore, Sikhs can hope to gain nothing from their success. Socialist party too has never shown a soft corner for the Sikh demands.

If Akali Dal selects various candidates for its support on the above lines, it will do a service to itself as well as the Sikhs. Services of the former Master Akali Dal leaders should be fully utilised because they have a better hold on the UP Sikhs than the leaders of Sant Group.

The “Spokesman” 18th February, 1974

Sikh Struggle Against Emergency

“Systematic high level falsification of history and perversion of facts is a peculiarly modern crime highlighted by policies, associated with Stalin. Such governmental trends in relation to the Sikhs constitute false history and reveal bad taste.”

The above words occur in an open letter dated 28-1-1963 written by S. Kapur Singh, ex-I.C.S., to Shri Jawaharlal Nehru, Prime Minister of India, which was published in “Sikh Herald” weekly dated November 22, 1963. These lines echo the same sentiments which have been expressed by Sardar Hukam Singh in his Founder’s Note, “Sikh Role In Varied Struggles — Need for Bringing Facts to Light,” published in the 26th Annual Number 1977 of the “*Spokesman*” Weekly.

In one of my books, “A Critique of Sikhism,” published in 1964, I had written at page 83 as follows:—

“Sikhs, since independence of the country, have felt that there is all organised plan to demonetize the Sikhs as the builders of Indian History.”

But the trouble with the Sikh leadership is that, it has no time to read the views of the elite. I am glad that Sardar Hukam Singh has taken a note of this trend and plans to do something about it.

However, in this connection I must say that fault lies more with us than with the other side. We do not encourage studies in modern political problems. We are contented to feed our ego with the past glory by repeating the heroic deeds of our ancestors. Read any Sikh journal and you will find it full of articles dealing with the biographies of the Sikh Gurus or on their teachings. One rarely finds an article making critical analysis of the present day problems facing the community. Sikhs have no English daily of their own and The Punjabis are busy with criticism of personal lives of the leaders, nay not even leaders but second rate editors of contemporaries.

Moreover, the Sikh leadership is jealous of giving recognition to those Sikhs who have done something worthwhile for the community. The result is that we have to hang our heads with shame.

Sikh leadership continues to befool the public with empty slogans and resolutions. I am informed by a very reliable source that no draft of Ali-India Gurdwara Bill been prepared so far by the committee constituted for the purpose. Not only that, but the aforesaid committee has never met for any serious deliberations. Recently, a resolution was passed by the Shiromani Akali Dal for the enactment of separate personal law for the Sikhs to regulate matters such as succession, marriage etc. Buy may I ask: Has anyone cared to do even some spade work in this regard?

I must say that sheer meetings will not help. We must be ready to assign the job to those who are fit for the purpose and must provide them with resources and due encouragement.

In the end, I congratulate S. Hukam Singh for undertaking the proposed venture. A few scholars may be assigned the task of writing on modern period of Sikh history.

The “Spokesman” 7th November, 1977

Sikh Demand For Self Determination And The United Nations Organisation

“The Order of Khalsa, as ordained by Guru Gobind Singh and in accordance with his Commandment, is a sovereign People by birthright and a sovereignty-oriented party sui generis. The political goal of the Khalsa Panth, as publicly inscribed on a gate of The Golden Temple in the Formula,” “All decision-making powers to the Khalsa,” is known throughout the world. A sovereign Sikh people, within a free country, to achieve this goal within a free India, as the birthright of the Khalsa to be established within the framework of a well-demarcated territory enjoying a constitutional autonomous status, is the very foundation of the organisation and Constitution of The Shiromani Akali Dal.”

The above quotation which demands the right of self determination for the Sikh people within the Indian Union, has been copied from the agreement of the two wings of the Shiromani Akali Dal i.e., Master Group and Sant Group, dated 8th October 1968. The demand is based on well-known internationally-recognised principles, as the Sikh people feel that the only way, in which they can survive, is to have a state in which they can live and grow as a nation in accordance with their historical traditions, their inner urges and their political ideals. Such a State was promised to the Sikhs by the Congress Party leaders before the transfer of power by the British. In July, 1946, When the All India Congress Committee was meeting at Calcutta, Pandit Jawaharlal Nehru declared at a Press Conference:—

“The brave Sikhs of the Punjab are entitled to special consideration. I see nothing wrong in an area and a set-up in the North wherein the Sikhs can also experience the glow of freedom.”

But the demand for such a State by the Sikhs is termed as anti-national by those who have been in power. The Sikh's is a cry in wilderness. No nation of the world is ready to help the Sikhs to get their birth right, although self determination has become a catch word of international politics since 1917 when it was adopted in the Proclamation of Rights of the People of Russia, President Wilson of USA, in his message to the Congress dated 11 February, 1918 stated:—

“... national aspirations must be respected; people may now be dominated and governed only by their own consent.....the right of nations to free self determination is not a mere phrase; it is an imperative principle of action, which will be disregarded by statesmen in the future only at their own risk.”

Now, therefore, the question arises: What is this right of self-determination and what is its scope; when does international community come to the rescue of an oppressed minority?

A Commission of Rapporteurs was asked by the League of Nations Council in 1921, whether it was possible to have a general rule that a minority can separate to join another State or become independent.

The Commission replied in the negative but laid down the proviso that principle of self-determination of people may be called into play if *“new aspirations of certain sections of a nation, which are sometimes based on old traditions or on a common language and civilisation, may come to the surface and produce effects which must be taken into account in the internal and external peace of nations.”*

Thus new awakening of consciousness regarding their separate identity amongst a group of

people based on historical traditions gives them a right of self-determination.

The Sikhs can rightly boast of possessing a rich heritage of memories — the memories of their suffering together, of martyrdom and of fights for the faith of the Gurus. They remember how the effeminate and prostrate ancestry was galvanized into a new people, kindled with a new fire, who shook off the yoke of Hindu ritualism and mumbo jumbo of superstition, death-like grip of conservatism, negative altitude towards that which preyed upon Hindu mind.

The Sikhs have very little in common with the other Indians. Their national heroes are quite different. Their life is nourished literary on some what different food. The Vedas, Upanishads, the Gita, the Bible, the Koran have no link with them. They have distinct culture, religion, language and mode of life which have awakened in them the soul of nationality.

Another circumstance, which the international community has recognised as basis for grant of right of self-determination to the people, is: “If the Central authority chooses to treat a particular region just like a colony, the demand of the right of self-determination on the part of such a region may have potent appeal and convincing argument against maintaining the unity of that state.”

Punjab, wherein majority of the Sikhs reside, is discriminated against by the Central Government economically, financially and politically. As Sardar Parkash Singh Badal, Chief Minister of Punjab recently pointed out during the past 27 years of planning of the hundreds of central projects in different States, Punjab had only a meager share of two projects. Out of a national plan investment of Rs. 28,000 crores on Central projects, Punjab's share was not more than the miserable figure of rupees 10 crores.

According to Sardar Balwant Singh, the Finance Minister of Punjab, for every rupee mobilized for the State Plan, Punjab got 65 paise only against Rs 2.75 given to Bihar and Rs 1.75 given to UP.

Besides, Punjab is being denied Chandigarh in spite of the fact that its claim was upheld through Prime Minister's award given several years ago. The Sikhs are being denied even the facility of listening to the religious hymns recited at the holiest shrines i.e., the Golden Temple, with the rejection of the demand for the installation of a radio station for the purpose, although Sikhs have offered to meet the whole costs of the project and even agreed to its complete administrative control by the government of India. Canal headworks in Punjab are being threatened to be snatched away from the State by handing over their control to a Board of management constituted by the central government. Punjabi language is being denied its proper status in official spheres.

No doubt, as stated by the commission of Rapporteurs in its report to the League of Nations Council in 1921: “To concede to minorities either of language or religion or to any fractions of a population, the right of withdrawing from the community to which they belong because it is their wish or their good pleasure, would be to destroy order and stability within states, to inaugurate anarchy in international life; it would be to uphold a theory incompatible with the very ideas of the state as a territorial and political entity”. But the commission of Enquiry hastened to add: “The separation of a minority from the State, to which it forms a part, and its incorporation in another State can only be considered as an altogether exceptional solution, a last resort *when the State lacks either the will or the power to enact and apply just and effective guarantees*”.

Thus, international law grants under limited circumstances, the right of self-determination

to the dissatisfied minorities and some oppressed people. In fact, it is very difficult, almost impossible to visualize the different kind of cases in which the principle of self-determination may be applied. “A very important, aspect of it may involve the right of a group of disaffected people to dissociate itself from the state to which it belongs and establish a new State according to its aspirations. Generally this will happen when a dissatisfied minority has successfully revolted but in extreme cases, it may be conceded by the authorities in power”.

At this stage, therefore, it may be interesting to note the various provisions in the Declarations of the U.N.O on the subject. Most important of these declarations is the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations which reads as under:—

“By virtue of the principle of equal rights and self-determination of people, enshrined in the Charter, all peoples have the right freely to determine, without external interference, their political status and pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provision of the Charter.

“Every state has the duty to promote, through joint or separate action, the realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle in order:

- a) to promote friendly relations and co-operation among States; and
- b) to bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned;

“And bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter of the United Nations,

“Every State has the duty to promote through joint and separate action universal respect for and observance of basic human rights and fundamental freedoms in accordance with the Charter.

“The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self determination by that people.

“Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence. In their actions against and resistance to such forcible actions pursuit of the exercise of their right to self-determination such people, are entitled to seek and to receive support in accordance with the purposes and principles of the Charter of the United Nations.

“Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus, possessed of a government or presenting the whole people belonging to the territory without distinction as to

race, creed or colour.

“Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or Country.”

An analysis of the declaration shows that it demands a reasonable measure of autonomy within a federal State, for people, and if the State grants such autonomy ‘in compliance with the principles of equal rights and self-determination of peoples, than the principle of territorial integrity will come to the rescue of sovereign States against secession. But if a state governs its people with discrimination on account of race, creed or colour, that State’s territorial integrity is not guaranteed under circumstances and a right to secession for a group of people in a country may arise.

Now with this interpretation in view, it may be relevant to reproduce here a resolution passed by the Working Committee of the Shiromani Akali Dal, held at New Delhi on 20th July, 1966 which reads as under:—

“The emergent meeting of the Working Committee of the Shiromani Akali Dal,

“After having carefully viewed the finding, the reports and judgements of judicial and quasi-judicial Tribunals and Forums that have dealt with matters and Cases involving important Sikh interests,

“Comes to the conclusion that the entire judicial machinery and the judicial process of the independent India, under influence of a certain section of political Hindus, is prejudiced and has been perverted against the Sikh people in India in relation to their just and legal rights. Therefore, this meeting on behalf of the Sikh people calls upon the world opinion in general and forums and organisations of international and Common wealth jurists to set up appropriate machinery to go into and report upon the subtle and persistent denial of fundamental human rights to the Sikh people in a free and independent India.”

Above resolution talks about violation of human rights and discrimination against the Sikhs in India on the grounds of religion and calls upon the international community to take action. The resolution, thus, fulfils the conditions laid down in the declaration of the U.N.O. but unfortunately for the Sikhs no nation of the world has cared so far to pay any heed to the pleading of the Sikhs. One reason is that the nations of the world are themselves as yet not clear about the scope of interference on their part in such situation.

This is clear from the U.N. Secretary General U. Thant’s speech wherein he says:—

“A related problem (to the violation of human rights within the frontiers of a State,) which often confronts us and to which as yet no acceptable answer has been found in the provision of the Charter is the conflict between the principles of the integrity of sovereign States and assertion of the rights to self-determination, and even secession, by large group within a sovereign State. Here again, as in the case of human rights, dangerous deadlock can paralyse the ability of the United Nations to help those involved.”

Another factor involved is the attitude of the neighbouring country, which goes a long way toward providing impetus to the demand for self-determination raised by a seceding part. Pakistan

itself is composed of various sub-nationalities such as Sindhis, Baluchis who are always complaining about Punjabi domination. Bengalis have already seceded from Pakistan. Therefore, Pakistan can't support any movement for secession in India except by way of retaliation.

Moreover, so far the Indian government has successfully built up an image that all inhabitants of the country are treated at par economically, socially and politically and whenever any problem arises in any region, it is willing to reach an equitable settlement. Creation of Punjabi Suba, however truncated it may be, has taken the wind out of demand for self-determination for the time being.

As a practice, internationally community intervenes only if the internal and external peace in the region is disturbed. There is no such threat, as the demand for self-determination for the Sikhs has not been seriously raised by any substantial section of the community and it has been used as a stunt by some frustrated politicians to serve their selfish ends. What shape the demand can take in future, no one knows. We may conclude with the following lines of a song:—

“How many years can some people exist
Before they are allowed to be free
The answer, my friend, is blowing in the wind
The answer is blowing in the wind

Lok Sabha Poll-1980

Akalis' Defeat

Ever since November 1, 1966, when Punjabi Suba officially came into being the Akali Dal have suffered the worst defeat in the mid-term elections for Lok Sabha held this year. It could win only one seat of Tarn Taran constituency out of thirteen constituencies in the State. It has lost in 37 assembly segments out of the 58 it had won in 1977 in a house of 117. The Akali Dal's influence since the formation of Punjabi Suba in 1966 had been growing steadily. Its poll percentage in 1967 was 27%, in 1971 was 30.85% and 1977 was 42.30 percent. But in the present election of 1980 it has fallen down to 23.37%.

Sikh intelligentsia has a cause to feel alarmed by this humiliating defeat because Akali Dal is not a product of the politics of the State only but a fruit of Sikh awakening and renaissance. A feeling is bound to grow amongst the Sikhs that in the absence of Akali representatives in the Indian Parliament, their interests may run the risk of being neglected altogether or at least may not be adequately safeguarded. No doubt Sikh members have been elected on Congress ticket but to the Sikh masses, Congress is essentially a Hindu organisation with a few tame Muslims, Sikhs and Christians available for display purposes. This impression has been deep-rooted because of the discriminatory attitude of Congress government at the centre towards the Punjab State in general and the Sikh people in particular. Moreover, the Hindu chauvinism has become stronger since the partition of the country and Hindu values, beliefs and instructions are being emphasised more vigorously and fanatically which has caused apprehensions amongst Indian religious minorities including the Sikhs. Mrs. Indira Gandhi has no doubt assured the minorities of better treatment but Sikhs must remember that in Congress terminology the word "minority" has always meant the "Muslim minority" and not the Sikhs who are treated by the national leadership as a sect of the Hindus. The Sikh intelligentsia, therefore, must sit together to find a remedy to the present situation which may not be a calamity.

Before a remedy is suggested we must analyse the causes of Akali Dal's defeat and poor performance. We should avoid finding scape goats-but at the same time we should not hesitate to find out the culprits and traitors.

The root cause of the failure of Akali leadership to my mind has always been the indecisiveness. Ever since the fall of Desai government at Delhi in mid-July and the break up of the Janta Party, Akali leadership has been in a dilemma and could not make up its mind as to which political party to align with. This long indecisiveness greatly weakened the Akali base amongst the masses and did not allow them to find a reliable ally. This resulted in confusion about the Akali poll strategy and thereby lead to a serious set-back. Communists played their cards well. They penetrated the ranks of Akali leadership. Jathedar Tohra is known to be a Communist Party card holder before he came to forefront in the Akali Party. He has since then candidly played his role as a sympathiser of the Communists. Being conscious of his background and links with the Communists he has never come out openly in support of that party but he has always shown his preference for alliance with them. Jathedar Talwandi perhaps through the good offices of Jathedar Tohra was so much lured by the Communists that instead of canvassing support for the nominees of his own party he canvassed and fought for gaining a seat for the C.P.I. at Bhatinda. While posing to be anti-authoritarian and thus apparently anti-Indira the

Communists championed the formation of a leftist front in the State. But candidly they supported Indira Gandhi. To quote from the report in *Daily Tribune* of January 10, 1980.

“The outcome in the C. P. I. held Assembly constituencies is difficult to comprehend in view of the party’s unclear attitude towards other parties which contested the poll last week. The C.P.I. has seven seats in the Assembly. However, it lost even at Rampura Phul where it could not poll a majority of vote in favour of its candidate from Bhatinda, Mr. Gursewak Singh.

It appears likely that at certain places the C.P.I. supported the Congress (I) candidates. This can be made out by the unusually large number of votes the Congress (I) candidates secured at many places. Mr. Raghunandan Lal Bhatia, for instance, had a lead of over 29,300 votes in the Amritsar West Assembly segment held by Mr. Satya Pal Dang. This is perhaps also true of the Malout and Shutrana Assembly segments in Faridkot and Patiala respectively.”

The dramatic events in Afghanistan, just a few days before the polling must have gone in favour of Indira Gandhi. She is a tried friend of Moscow and the Communists needed her to maintain balance of power in the region. India with vast manpower is a balancing factor in favour of Russia against China. Moreover, Indian voters also felt the need for a strong leader to meet the big powers challenge in the neighbourhood.

Akali infighting which continued in full public view for over six months has also proved disastrous for the party. Akali Dal was definitely the only political force in Punjab capable of facing the challenge from Congress (I). A timely and sincere alliance with Janta Party alone could have helped it to make dents into the Congress (I) support amongst the urbanite Hindu. But Akali leadership made a mess of the whole election business right from the beginning till the date of elections in picking up its poll partners. *Indian Express* in its pre-poll survey published on January 2, 1980 reported:—

“It would be incorrect to infer from this that there is a return of the Indira wave In Punjab, as claimed by some Congress (I) leaders. In fact the Akali infighting, and the accompanying indecision on poll allies are responsible for giving the Congress (I) a dominant position in at least nine of the constituencies.”

The paper further reported: “The informal split in the Akali Dal that has come to exist between the organisationalists and the ministerialists or more precisely between the supporters of the party President Mr. Jagdev Singh Talwandi, and the Chief Minister, Mr. Parkash Singh Badal, has led to an avoidable confusion among the Akali rank and file, despite recent efforts at a patch up. While the Talwandi supporters are standing by their commitment to the Communists and the Lok Dal-Congress (U), the Badal supporters adhere to their alliance with the Janta Party. It is this split of the Sikh electorate that is helping the Congress (I)”

According to informed sources, credit for Akalis sole victory at Tarn Taran goes to Sant Harchand Singh Longowal who worked day and night in Tarn Taran for Sardar Lehna Singh against Dr. Gurdial Singh Dhillon.

A noble casualty of Akalis infighting has been Sardar Surjeet Singh Barnala, former union irrigation minister. He could not even muster a majority of votes from the Barnala assembly segment which had returned his wife Surjit Kaur in 1977. According to a report published in *Tribune* dated January 7, 1980. “Sant Harchand Singh Longowal had a limited interest in the

victory of Mr. Surjeet Singh Barnala in Sangrur. He had helped Mr. Surjeet Singh to reach the pinnacle of glory, but when he himself needed the latter's support in his bid to become the Chief, the former said that he was neutral."

Sardar Dhanna Singh Gulshan, former Minister of State in the union government has blamed Jathedar Jagdev Singh Talwandi President of Akali Dal, for his defeat from Bhatinda constituency, Jathedar Jagdev Singh Talwandi extended active supporter to Communist candidate from his constituency against his own party candidate Sardar Dhanna Singh Gulshan who was a nominee of the Longowal Committee. In spite of Jathedar Talwandi's active support the Communist nominee Gursewak Singh could secure only 75,994 votes as against 1,48,798 votes secured by the Akali candidate Sardar Dhanna Singh Gulshan and 1,65,777 secured by the winner Sardar Hukam Singh of Congress (I). Sardar Dhanna Singh Gulshan thus lost by a narrow margin of only 17,000 votes and he appears to be justified in saying that but for the active opposition from the party president he would have won the Bhatinda seat, which has been a traditional Akali stronghold.

In Faridkot, Sardar Badal's constituency, Sardar Balwant Singh Ramoowalia sitting M.P. has lost by a narrow margin of 20,670 votes. Talwandi and his men worked hard for the defeat of their own party candidate so that they may defame Sardar Parkash Singh Badal and ask him to resign the leadership of party's legislature wing. Dr. Gurnam Singh Tir, legal advisor of Akali Dal and a supporter of Jathedar Talwandi, issued a press statement before elections that Faridkot is Akali party's prestige seat and in case Akali nominee is defeated from this constituency there will be hardly any justification for Akali ministry to continue.

The main drawback for the Akalis this time has been the absence of a leader with a charismatic personality who enjoyed unchallenged supremacy in the party affairs. Personality cult is deep rooted in Sikh minds. It is because Sikhism was born and nursed under the care of a chain of ten Gurus over a period of two centuries. In recent times Sardar Kharak Singh, Master Tara Singh and Sant Fateh Singh provided such charismatic personalities. But now there is a real vacuum of leadership. The present trinity is united in little but their self interest. The infighting is not on policy or ideological questions but a straight factional split based on personal rivalry. Each of them aspires to be supremo of the Panth while in fact no one deserves to be so. But this vacuum of leadership is not real because there is no dearth of pious, dedicated, selfless personalities in the Panth but this trinity is not ready to allow any such person to come at the helm of affairs. During Gurdwara Elections and Nirankari struggle Sant Bhinderwala had emerged as a possible leader but he lacked resources to meet the challenge from the trinity which has vast resources of Punjab government and S.G.P.C. at its disposal to build up its image. Sant Harchand Singh Longowal could provide charisma and strategy but the trinity is out to tarnish his image even.

Another cause for Akalis defeat this time was their departure from religion-based politics. It failed to involve emotional issues. Discrimination against Sikhs such as ban on Sikhs immigration to Saudi Arabia, problem of Sikh shrines in Pakistan, control of irrigation and power projects located in the State, installation of transmitter at Golden Temple, failure to appoint a Sikh as Commander-in-Chief of the Army, failure to elect any Sikh as President or Vice President of India are some of the issues which can have an emotional appeal to the Sikh voter but can't cause any offence to the Hindu voter in the State. To quote from the leading editorial in the *Daily Tribune* of January 10, 1980.

“The Akalis have badly damaged themselves in the general elections but they are in no danger of being destroyed as long as they are prepared to use the device of appealing to the Sikh community on traditional issues.”

Those who argue that communalism has lost its appeal to the Indian electorate are sadly mistaken. Jats of Western U. P. and Haryana have overwhelmingly voted for Chaudhary Charan Singh on parochial considerations. Attempts to patronise Shahi Imam by all the parties to win over the Muslim votes clearly show that religion and even communalism still has its value and can profitably be used to get the demands of a community conceded A.D.M.K. and D.M.K. who champion the cause of Dravidians on ethnic grounds have also secured majority of the votes in the State. A.D.M.K. secured 27.37% while the D.M.K. polled 23.84 per cent votes.

Those who blame the Indira wave for the Akalis defeat in Punjab are only making excuses. In the adjoining State of Haryana which was once a part of Punjab no such tidal wave was witnessed. The Lok Dal which made emotional appeal to the Jat voters has polled the maximum votes, 33.52 percent against 32.55 percent polled by Congress (I) and 28.14 percent polled by Janta. This means that Janta Party of 1977 (Janta and Lok Dal combine) still enjoys support of 61.66 percent voters as against 32.55 per cent of the Congress (I). Jat voters have for the first time won recognition through Lok Dal as a force in the northern India Choudhary Charan Singh's assertion that the Janta Party cannot win single seat without him from “Amritsar to Patna” has proved true to a great extent.

West Bengal has proved that demand for greater state autonomy along with constructive field work can still work wonders. West Bengal has proved as an exception throughout India by supporting C.P.I.(M). To quote from *The Indian Express* dated January 10, 1980:—

“West Bengal is a different kettle of fish. It has invariably opposed New Delhi. The Marxist Government in the State has not favoured the idea of a strong centre but it has still won. This is due to some solid work done in the field and its loyal cadre.”

Mishandling of the Nirankari issue by the Akalis has also contributed towards their defeat. The martyrdom of a large number of Sikhs on Baisakhi at Amritsar had emotionally shaken the Sikh people throughout India. Akalis exploited this sentiment at that time for fund collection by holding Shaheedi Conferences. This naturally raised expectations amongst the Sikh masses that Akalis will take some concrete action for a ban on Nirankari's blasphemy but the Akalis suddenly staged a volte face and betrayed the masses. The Sikhs of U.P. and Delhi continued the struggle independently but the Akalis instead of helping them in their religious crusade condemned them. This alienated the sympathies of urbanite Sikhs particularly from the Akalis as is evident from the number of seats won by Jathedar Santokh Singh group in Delhi Gurdwara elections. Akalis campaign against Nirankari alarmed other sects such as Namdharis and Radha Swami and they voted for Congress (I) which has always sheltered them against such onslaughts.

Another factor which has contributed to success of Congress (I) in the State is the sympathy of the female voters for Indira. She has come to be recognised as symbol of ‘Women Power,’ *New York Times* has brought out this aspect by referring to its reporter's interview with a bank employee who laments that while he voted for opposition, he was outvoted by his wife who voted for Congress (I). Akalis did not put up any woman candidate while Congress (I) had a charming candidate in Mrs., Brar from Faridkot, a well publicised constituency. Istri Akali Dal has

remained inactive due to lack of financial resources and inner jealousies. Dr. Rajinder Kaur, President of Istri Akali Dal is no doubt a devoted lady and tireless worker, but so far she has done little to organise her wing at root level. A greater number of lady workers should be attracted preferably from the educational institutions to strengthen the Akali base amongst the female. Services of Sants can be usefully availed in the rural areas in this regard.

To sum up, Akalis need not feel frustrated as not much has been lost yet and there is every scope for staging a comeback. But the Akalis must find a supremo whose writ should run through rank and file. If the Akalis had faithfully obeyed the decision from the Akal Takht, it would have given a special sanction to their candidates and would have created an emotional liking for them amongst the Sikh electorate. But by criticising the verdict and attacking the cherished institution, Jathedar Talwandi alienated the sympathies of the devotees and blessings of the Gurus for his party's candidate. Once a decision is taken, the Akali leaders should learn to obey and implement it faithfully notwithstanding their individual opinions. They should remember:

“Collected We Stand, Divided We Fall.”

Hukamnama And The Indian Constitution

A soon as a Hukamnama was issued from Sri Akal Takht, Amritsar, on the 10th June last year against Pseudo-Nirankaris, calling upon the Sikhs to dissociate themselves from these Nirankaris and to oppose them as their preachings were anti-social and unethical, some whispers were heard that it was unconstitutional.

Sardar Kapur Singh, National Professor of Sikhism, on 22nd June, 1978, issued a press statement explaining in this regard that the operative clauses in the Hukamnama do not contemplate any sanctions against those who may not accept or act upon the Hukamnama and the social disassociation clause is addressed to the 'Khalsa Panth' i.e., the collectivity of the activist Sikhs, and not to each individual Sikh. How far this explanation is valid it is for the theologians to discuss and is beyond the scope of this article.

The question to be discussed here is whether such a 'social-disassociation' is unconstitutional or not.

"Excommunication" says Prof. Hazeltine in the encyclopedia of the Social Sciences, "in one or another of the several different meanings of the term, has always and in all civilizations, been one of the principal means of maintaining discipline within religious organisations and, hence, of preserving and strengthening their solidarity" This practice has been followed since times immemorial. Sardar Kapur Singh quotes Brihadarnayak Upanisad to the effect that "those guilty of four specified forms of misconduct must be deemed as fallen ones, the patits, along with those who continue to have social intercourse with such as these."

The early Christian Church exercised this power very largely and expelled and excluded from the Christian-fold those who were considered to have infringed its rules of governance. During the middle ages the Pope used this power frequently to secure the observance of what were considered the proper religious rights and practice of Christianity, by excommunicating even the kings of some European countries when they introduced or tried to introduce different forms of divine worship. According to the Catholic Encyclopedia, "impartial historians have recognised, however, that many of the instances of excommunication were for the purpose of securing the adherence to the orthodox creed and doctrine of Christianity as pronounced by the Catholic Church." (See Vol. 5-England And Excommunication)

Among the Muslims also the practice of excommunication has been prevalent since the earliest times. In a case, Hasan Ali vs Mansoor, reported in A.I.R. 1948 Privy Council 66, right to excommunicate for failure to comply with the tenets and traditions of the Dawoodi Bohra community (a sect of Shia Muslims) was upheld.

Excommunication has been followed by the Sikhs since the time of Great Gurus. To quote from "Ethics of The Sikhs" by Avtar Singh, published by Punjabi University of Patiala. "In view of the fact that the Sikh Gurus did not have political powers to translate their moral disapproval into legislation and make infanticide unlawful, resort was to the highest form of social and moral disapproval. In terms or social disassociation and excommunication."

Now the next question that arises for deliberation is — What does the Indian Constitution

say on the subject? Does it permit such excommunication?

The two relevant articles are Art. 25 and Art. 26. Art 25 deals with the individual's right to profess, practise and propagate his beliefs. While Art. 26 guarantees the right to every religious denomination or a section thereof to manage its own affairs in matters of religion. Thus, every member of the community has the right, so long as he does not in any way interfere with the corresponding rights of others to profess, practise and propagate his religion, and everyone is guaranteed his freedom of conscience. Thus, though his religious beliefs are entirely his own and his freedom to hold his beliefs is absolute, he has not the absolute right to act in any way he pleases in exercise of his religious beliefs, he has been guaranteed the right to practice and propagate his religion, subject to limitations such as public order and morality.

To quote Sardar Kapur Singh: "The principle of the Hukamnama is that an organised community or a church or a society or a group has the fundamental right to safeguard their purity of doctrine and living separatedness against those who might try to pollute or destroy it from inside or outside." Art. 26 of the Indian Constitution is intended to ensure this fundamental right of every community to maintain the bond of religious unity and discipline by enforcing acceptance of essential tenets, doctrines and practices on its adherents even under the threat of excommunication. The freedom of conscience is no doubt guaranteed to every individual and he is free to hold any beliefs he likes but his actions in pursuance of those beliefs are liable to restrictions in the interest of community at large, as may be determined by common consent.

Now the question arises: What is the Consensus in the Community?

The question was answered by Mr. Justice Krishna Iyer of Kerala High Court (as his Lordship then was) in case *Shihabudin Imbichi Koya Thangal Vs Ahmed Koya* (1971 K. L. T. 68) wherein the question for determination was whether an Ahemdi ceases to be a Muslim. His Lordship observed: "The question of consensus in the community if it is to be the touchstone as urged by the counsel, must transcend factional frontiers. It would be extraordinary if on a narrow view of what people in one region think a sect were to be excommunicated, thus leading to the grotesque sequel of a person being un-Islamic in Malabar is but devout Musalman in Pakistan and in other countries. Consensus in this context must, therefore, mean a broad unanimity in the Islamic world as it were."

Now coming to the Hukamnama again, it was issued by the head of the Akal Takht, Amritsar, after he was so authorised by the Sikh community at world convention of Sikhs held in the holy city. Therefore, it represents the consensus of the Sikh Community.

The Supreme Court of India, by a majority judgement of three to one in the case *Sardar Syedna Tahar Saifuddin Saheb Vs State of Bombay* (A.I.R. 1962 S.C. 853) upheld the fundamental right of a community to manage its own affairs in the matters of religion by excommunicating dissidents from its rank. It was observed, "Where an excommunication is itself based on religious ground such as a lapse from the orthodox religious creed or doctrine or breach of some practice considered as an essential part of the religion by the Dawoodi Bohras in general, excommunication can't but be held to be for purpose of maintaining strength of the religion. It necessarily follows that the exercise of this power of excommunication on religious ground, forms part of the Management by the community through its religious head" of its own affairs in matters of religion guaranteed under Art. 26 (b)."

What are the matters of religion?

The Supreme Court has laid down that it means those matters which are essentially and purely of religious characters. A religion may not only lay down a code of ethical rules for its followers to accept, it might also prescribe the ritual, and observances, ceremonies and modes of worship which are regarded as integral part of religion and these forms and observances might extend even to matters of food and dress. To quote Sir Abdur Rahim's observation in his *Mahammadan Jurisprudence* (Page 250). "some people are too prone to charge others with unbelief and treat them as heretics, but the correct law is that when heretical doctrines are opposed to clear and indisputable texts, they would amount to unbelief and not otherwise." Theological disputes cannot be decided by legislatures or by secular courts.

How the Nirankari sect is striking at the basic tenets of Sikh religion is now well known. It adulterates the Gurbani with ghost-written anti-Sikh compositions and attempts to destroy the institutional structure of the Sikh by criticising and ridiculing Sikh baptism.

Belief in Guru Granth Sahib is the bedrock of Sikh faith. Gurbilas, an ancient historical narrative, says:—

"Guru Gobind Singh dressed himself in his usual royal uniform and ordered that after he breathed his last his clothes should not be changed. He should be cremated in the dress he was wearing. He entered the enclosure saying that after the ten Gurus, there was to be no individual Guru. The Sabad was the Guru. The Khalsa was to be in future under the direct protection of Akal Purkah (God)."

To quote from another earlier record 'Gurbilas' by Koer Singh:—

"Guru Gobind Singh said to Khalsa that from now on the ten Gurus will live in their internal invisible form. These are not times to perpetuate individual Guruship. There will be no earthly successor from the family of any Guru. I will not anoint any human being. The whole sangat, the Khalsa, I now place in the arms of The Supreme Being. "They are given Shabad Guru (The Word as Guru) as their Guide. The Khalsa should hold the hem of this guide and live in the spirit of God. Know The Guru. Seek guidance from The Sabad alone. The darshan of The Granth Sahib is the darshan of the Guru. Take from now to the presence of the Holy Book."

Indian law recognises belief in Guru Granth Sahib as an essential condition for being a Sikh. Section 2 (9) of the Sikh Gurdwara Act, 1925 lays down:

"If any question arises as to whether any living person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the State Government may prescribe the following declaration:—

"I solemnly affirm that I am Sikh that *I believe in the Guru Granth Sahib*. That I believe in the Ten Gurus, and that I have no other religion."

Therefore, denying the status of Guru Granth Sahib makes an infidel of a Sikh. Nirankaris openly indulge in denigration of the holy book of The Sikhs. To quote from their journal *Sant Nirankari* (June 1964 Issue):—

"Take for instance, the Sikhs. Outwardly they have improvised five symbols (K's). Recitation of 5-7 compositions (or as many as possible) comprising examples and instructions of

the Gurus, Pirs and Savants under the so-called name of Gurbani has been made an early morning ritual. They have brought together writings of 84 Savants which could not but lead to a volume. The Sikhs have given this ordinary book the name of Guru. How can you call this massive book of legal precepts the revealed Word (Bani). Of course these are instructions and commandments in it.”

How malicious and mischievous of the Nirankaris it is who want to perpetuate the institution of corporeal Gurus!

How inspiring is The Guru Granth Sahib?

It may be relevant here to quote Nobel Laureate Pearl S. Buck’s opinion who writes:—

“Shri Guru Granth Sahib is source book, an expression of man’s loneliness, his aspirations, his longings, his cry to God and his hunger for communication with that Being.

I have studied the scriptures of other great religions but I do not find elsewhere the same power of appeal to the heart and mind as I find here in these volumes. They are compact in spite of their length and are a revelation of the vast reach of the human heart, varying from the most noble concept of God, to the recognition and indeed the insistence upon the practical need of the human body.”

Thus, it is only as a measure of self-fortification against the Nirankari erosion that a Hukamnama has been issued from the Akal Takht. Such a right of self-defence is guaranteed to every community. To quote from the Supreme Court Judgement (A.I.R. 1962 S.C. 853) —

“In my view by the phrase laws providing for social welfare and reform, it was not intended to enable the legislature to “reform” a religion out of existence or identity. Art. 25 (2) (a) having provided for legislation dealing with “economic, financial, political or secular activity which may be associated with religious practices”, the succeeding clause proceeds to deal with other activities of religious groups and these also must be those which are associated with religion. Just as the activities referred to in Art. 25 (2) (a) are obviously not of the essence religion, similarly the saying in Art. 25 (2) (b) intended to cover the basic essentials of the creed religion which is protected by Art. 25 (1).”

Sikhism does not recognise the right of the state to interfere with the domain of religion. In matter of religion, state is subservient to religious authority as is evident from the fact that Maharaja Ranjit Singh was punished by Akali Phula Singh, head priest of Golden Temple, for violating the Sikh religious ethics. To quote from the book, ‘Sikh Policy’ by Bhagat Singh:—

“To sum up this comparative study it may be remarked that the immensity of the Mughal Emperor’s power could be judged from the fact that he was the head of the state as well as of the Muslim church unlike the Sikh Maharaja who was subordinate to the Sikh Panth. In theory every Muslim ruler was the successor of the prophet and so long as he was in office he was supreme. Similarly, so long as the Hindu Monarch was not deposed, he enjoyed immense influence upon the people. His claim to divine right of kingship was recognised partially and the coronation imparted divinity to his personality. Self-assumed divine descent, political supremacy and spiritual headship, constituted the Mughal and the Hindu sovereignty. This concept of sovereignty was not shared by the Sikh Maharaja. He as well as his subjects knew that he had risen from amongst the common people and there was no special divine sanction for him.”

The Hukamnama has the sanction of Sikh religion and history. Guru Gobind Singh had, through a Hukamnama, directed the Sikhs to socially boycott the Masands. Similarly, about half a century back, a Sikh leader, Teja Singh of Bhasaur, was excommunicated from the community for violating the Sikh religious practices.

Hukamnama is, thus, purely an internal religious matter of the Sikh community, and the state or its courts have no jurisdiction to sit in judgement over it. Any outside interference will be intolerable. State and its administration must not intervene in this religious matter of the Sikh lest the Sikhs should develop an attitude of hatred and animosity towards the State.

Sikh Politics

There is general frustration and a feeling of self-condemnation prevalent amongst the Sikhs. This is universally attributed to the poor caliber of the Sikh Leadership, with whose performance there is general disappointment.

Elite of the Sikh community has fervently spoken about it but no serious effort has been made by anyone to find a practical solution to this malady. Therefore, anyone interested in improving the lot of Sikh community in the political system must concentrate on the leadership.

The proper approach to study the Sikh politics is the “decision making approach” i.e., the study of the behaviour setting in which the decisions are made, and definition of the situation from the point of view of the decision-makers. This also involves a study of personalities, roles, organisation of the decisional unit, basic values and goals. According to this approach, by studying and analysing various aspects of the personality of decision-makers, we can understand their impact on formulation of their policies and actions.

Let us examine the observations of some impartial experts and then analyse it. Mr. Ian Stephen, who was for many years editor of the *Calcutta Statesman*, in his book “Pakistan”, writes:—

“But in modern times their political leadership has often been poor, partly because their numbers are small, but also because their talents are of a markedly practical, go-getting sort. As a result of this second factor, their ablest men, the cream of the community, are continually being skimmed off into lucrative activities outside politics. Thus, when in 1947, they were faced with the need for great decisions calling for the utmost sagacity, most of these able men were not available; they were fully preoccupied elsewhere, in Government service, military or civilian, or in prosperous businesses.

“Politics among Sikhs has in recent years been a profession which got not much more than the leavings.”
(Page 165) An analysis of the above statement shows that Sikh leadership has been poor because:

- 1) The number of Sikhs is small.
- 2) Their talents are of a markedly practical, go-getting sort.
- 3) Politics among Sikhs has in recent years been a profession which got not much more than the leavings as their ablest men are absorbed in Government services.

Now let us consider how can we fill-up these deficiencies. As regards number, we must admit that not much can be done and we will have to live as a small minority in the coming few decades. The only possible way to increase our number is to encourage conversion but the Sikh religious discipline is so rigid that we cannot expect any flood in our ranks.

Secondly, in India the conversions mainly come from among the untouchables but discriminatory constitutional privileges conferred upon those untouchables have blocked this process.

After Dr. Ambedkar, the leadership of these untouchables has been opportunist and they

have almost submitted to their inferior religious status within the Hindu fold in consideration of economic advantages and constitutional allurements.

The only hope in the present circumstances is the conversion movement launched by Yogi Harbhajan Singh in the Western hemisphere. If the Sikh community in India lends its patronage to this movement, something unexpected can happen. But so far no organised attempt has been made by the Indian Sikhs to assert their fraternity with the Sikhs in Western hemisphere, and unless immediate steps are taken to provide these converts with a social environment congenial to promotion of their devotion in their new faith, the movement may die soon.

An example in this regard is the attempt made by Sardar Sant Singh Tegh of Jammu and Kashmir to convert Tibetan refugees to Sikhism. He had gained some initial success but as he failed to provide the converts congenial social environment. These converts soon lapsed into their old fold.

One method to provide such environment is to absorb these converts to the teaching staff of the Khalsa school and colleges. There are a large number of Sikh institutions in India and employing these Western converts will not only enhance the prestige of the Sikh institutions but will also help to improve the educational standard particularly in the field of English language and personality development. These converts may be invited to serve on these institutions on deputation for two years or so. They should be provided with facilities and status which should inculcate among them the feeling that they are doing useful missionary work as vanguards of the Sikh society. After sometime marriage amongst these converts and Indian Sikhs may also be encouraged but not at this initial stages, as it may give rise to unnecessary apprehension.

Now coming to the second drawback pointed out by Mr. Ian Stephen, namely that the talents of the Sikh leadership are of a go-getting sort. The problem is how to improve this talent. It must be conceded that politics these days has developed into a social science which requires specialised whole time study. Therefore, Sikh leadership must attempt to involve those who are well versed in the political environments and processes, in its decision-making agency. The best stuff for this can come from amongst the lawyers and the professors. But as these two classes, economically belong to middle class, they can ill-afford to devote themselves to politics which, in India, is meant for either millionaires or indigents. Therefore, to solicit the involvement of talented ones from amongst these two classes some economic allurements will have to be offered. But that will need a change of mental attitude.

At present any scholar expecting economic benefit for his service, is discarded by the Sikh people as a cheap professional. People expect Sikh scholars to travel long destinations at their own expense, eat “dal roti” in the langar and rest at night on a floor and be indebted to those inviting them for the privilege of getting an opportunity to meet and address people. This attitude needs a volcanic shakeup, We should organise seminars on current problems facing the community and only few specialists on the subject from amongst the community should be invited for the deliberation. These specialists should be duly compensated financially and should be looked after well.

Another forum to involve intellectuals is the press. At present there is no Sikh journal making payment to its contributors. Under these circumstances no talented contributions can be expected. A financially sound organisation consisting of Sikh industrialists should undertake the project or running an English daily. One individual must have a commanding majority or shares to

dominate the organisation because, otherwise, internal bickerings may soon eat into its vitals. Military generals, scientists constitutional lawyers, political analysts, satirists can all thus, be associated with such an organisation and their talents utilized for the benefit of the community.

Now coming to the third flaw pointed out by Mr. Ian Stephen. The problem is how to make politics attractive to the best brains of the community. It must be conceded at the outset that majority of the Sikhs are semi-literate and suffering from over-confidence in their own ability. They, therefore, abhor the intellectuals. The Sikh Leadership has always, therefore come from amongst these semi-literate mediocres, and to strengthen its hold it has always strived to drive out sensible people and to recruit and patronise rustic political novices. These rustic people are shrewd enough for intrigues, and to satisfy their ego they have led the community to take decisions which can only be called blunders.

Mr. Ian Stephen in his book correctly describes the decision making process of the Sikhs when he writes: "When formal decisions have to be taken, Sikhs in theory at least take them democratically. Compromises must be reached. *other men besides the knowledgeable or eminent must get their say.*" But he rightly concludes that this has hardly helped the Sikhs in deciding big urgent problems wisely. This has won stires on the Sikh people.

Leonard Morley, in his book "LAST DAYS OF BRITISH RAJ" quotes an Englishman's remark: "Is there any such thing as a far-seeing Sikh?" Yes, there are so many but the problem is how to encourage them to get involved in this petty politics. As stated earlier, the majority of the Sikhs being semi-literate, self-egoist, suffering from superiority complex, there is no possibility in the immediate future for any intellectuals to take controls of the Sikh leadership through normal elections. Therefore, intellectuals will have to be transplanted. How to do it is the basic question. The constitution as well as all the political systems admit of backdoor entry for such a class through nominations.

The Sikh leadership includes not only hypocrites, boot-lickers and sycophants but some of them are also corrupt. Leaders can easily be purchased. Therefore, a group of well intentioned affluent Sikhs can easily influence the leadership by bribing it. In this way, some top class intellectuals can be got nominated and elected to various organisational and parliamentary bodies. This will introduce some immediate reform. But ultimately, the leadership will have to be replaced and for that an alternative capable leadership will have to be nursed. An attempt in this regard was made sometime back by industrialists of Kanpur to get Sardar Kapur Singh nominated to Rajya Sabha by promising financial aid to Akali Dal.

Therefore, the next question is: From where should this alternative leadership come and how should it be built-up?

An analysis of the Sikh population shows that two big classes amongst them are of ex-servicemen and farmers. So far no serious attempt has been made by any political leader to organise the ex-servicemen as a political force. They are the most disciplined obedient and enlightened class, and anyone organising them by championing their cause can become a force to be reckoned with. But then a mistake must not be made by trying to generalise their grievances to give it a colour of an all-India movement. Special grievances of Punjab ex-servicemen, such as reduction in their quota of recruitment and discrimination in the matter or promotion, should be highlighted.

Another big class is that of farmers. They, too, need to be organised without getting lost in the vast sea of all-India movement. Jathedar Jiwan Singh Umranangal, as Revenue Minister of Punjab gave a correct lead sometime back by emphasising that Punjab does not need any land ceiling, because ceiling was already imposed on the Punjabi farmers by the Rehabilitation Department in the form of cut at the time of allotment of evacuee properties after partition of 1947.

The third major class amongst Sikhs is that of devoted Sikh ladies with religious fervour who prefer to obey the commands of a saint than a political leader. An enlightened Sikh saint who is conscious of the importance of intellectuals, can act as the captain of the team. Sant Harchand Singh Longowal showed signs of such a leader when he refused to accept Akali ticket for membership of Lok Sabha from Faridkot constituency, saying that it should be allotted to some educated youngman, although his victory was more than certain.

Next question to be considered is how to meet the politics of betrayal and treachery which is a common feature. For this, we must develop some deterrent intervention of the Jathedars of the Sikh Takhts in the internal wranglings of the Akalis may not be very plausible but it can prove as a blessing in disguise. If a centre of authority above the political leadership enjoying universal respect is developed, it can serve as a restraint on the politicians. But such a central authority must keep itself above board, and for that its independence from the influence of the politicians will have to be ensured.

Jathedars of Sikh Takhts then should not be employees of the S.G.P.C. but should be elected representatives of an electoral college of scholars consisting of say all the Sikhs with Ph.D. degree in a subject on Sikh religion. The Jathedar of Akal Takht should be the Chairman elected by the Jathedars of the other four Takhts unanimously. His status should be equal to Pope in Catholic religion and his writs issued in consultation with the other four Jathedars, should be obeyed by the community. This will serve to unite the community and also serve as a seat of Sikh authority and as an instrument of Sikh sovereignty.

With such a two-tier system of Sikh Leadership, next questions is what should be the fundamental guidelines for formulation of policies.

One basic truth, which must be asserted is that Sikhism is a sovereign faith and not an offshoot of Hinduism. In this connection, we must agree with an English author who says: "At heart, Hinduism has always been hostile to Sikhism, because the Sikh Gurus had successfully attacked the principle of caste; and that it, therefore, necessarily strives for Sikhism's overthrow, both by preventing the children of Sikh fathers from taking the 'pahul' and by seducing proposed Sikhs from allegiance to their faith. Hinduism has strangled Buddhism, once a formidable rival; It is now making serious inroads into Sikhism."

This threat to Sikh identity must be highlighted. Sardar Gurcharan Singh Tohra's statement sometime back that Sikhs are a nation entitled to a respectable status within multinational Indian subcontinent provided a lead in the right direction. The loud protest voiced and threats hurled against this statement only confirm our apprehensions about existence of threat to our identity.

Highlighting of this threat to Sikh Identity from the brute majority in India will entitle us to a minority status in the eyes of the international forums, because U.N.O. recognises a group of people as minority only when its existence as such group is threatened by the majority.

Sometimes it is argued that even if the Sikhs have a separate faith and distinct culture, they are part and parcel of the Hindu nation. This misconception seems to be the result of non-assertion of separate identity by the Sikhs, who have not for a considerably long time vocally claimed to be a nation. National consciousness is the growth of a slow process, during which the psychological make up of the people goes on shaping itself under the stress of social forces and in reaction to political neighbours. Nation is an aggregate of men drawn together and linked together by certain sentiments, but there is also that sense of community which is created by the use of common language. The possession of a common literature, the recollection of a common achievements or sufferings in the past, the existence of common customs and habits of thoughts, common ideas and aspirations.

Sometimes all these linking sentiments are present and hold the members of the aggregate together; sometimes one or more may be absent. In each case, the test is not merely how many links there are, but how strong each particular link is. The Sikh leadership must, therefore, concentrate its efforts on strengthening the above links through proper emphasis.

A Commission of Rapporteurs was asked by the League of Nations Council in 1921 whether it was possible to have a general rule that minority can separate to become Independent. The commission, while replying in the negative, had laid down the proviso: "New aspirations of certain sections of a nation, which are sometimes based on old traditions or on a common language and civilization, may come to the surface and produce effects which must be taken into account in the interest of internal and external peace of the nations." It is, therefore, for the Sikh leadership to help in the growth of new aspirations in the community through proper guidance.

The *Sikh leadership* has always approached the great political changes impending in a divided state of mind. This split personality has always proved dangerous for the community. One reason for such a split is the non-existence of a goal. The Sikh leadership must unhesitatingly declare that it stands for a *Sikh homeland*. No sugar-coating of this goal such as provincial autonomy, financial autonomy or self-determined political status is needed.

Last but not the least, we should clearly proclaim that Sikhs in their religious belief and in practical details of daily life, have much in common with Muslims than with Hindus. This will help to win sympathy of Muslim countries which, with their open door immigration for the Sikhs, can help us a lot. Indian Government, having failed to get ban on Sikhs entry into Saudi Arabia lifted, efforts by cultural organisations in this regard can be availed of.

With these guidelines for future policies, let me discuss the current affairs. It must be conceded that Sikh leadership has failed to make best use of the rare opportunity offered to it by present political instability. The demands relating to international Airport at *Amritsar*, rail link between Ludhiana and Chandigarh, All India Gurdwara Act, etc., made by the Akali leadership as pre-condition for extending support to Charan Singh Government, were ill-advised.

It has become clear the *Charan Singh* government was not going to last long. Under the circumstances, Ch. Charan Singh could only give a promise to fulfill the demands knowing fully well that he will not get time to translate them into reality.

The best demand to be put forward was to have a Sikh Vice-President of India. Sardar Gurdial Singh Dhillon of Indian National Congress was already in the field. A little pressure on

Chaudhary Charan Singh to agree to the name of Gurdial Singh Dhillon would have won a rare honour for the Sikh community. The nine member Akali group in Lok Sabha was in a position to tilt the scales and therefore, could dictate terms to Charan Singh. Moreover it would have brought Indira Congress (I) and Janta (S), which is now called Lok Dal, close to each other and might have provided a stable government at the Centre.

But now things have undergone a big change. Challenge to Akalis in Punjab comes from the Indira Congress. Lok Dal has no following in Punjab. Any alliance with C.P.I. or C.P.M. will allow these parties to make inroads into Akali strongholds without any compensation to the Akalis. On the other hand, alliance with Janta party will tilt the balance in favour of Akalis because of the support of urbanite Hindus who still continue to be with the Janta Party. Moreover, there is no risk of Janta party eroding Akali influence in the state. After the elections new adjustments can be made according to the circumstances.

Akalis must stop infighting and seriously chalk out realistic strategy, keeping in view the community's interests as paramount.

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